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No. 110

House of Representatives

The House met at 9 a.m.

The Chaplain, the Reverend James David Ford, D.D., offered the following prayer:

We recognize, O God, that as we focus on our communities and our world there are voices of anger and acts of violence. Yet, we know too that there are voices of singing and acts of kindness and love. We know there is pain and we know there is joy, there is enmity and there is reconciliation.

Teach us, gracious God, so to number our days that our mouths will speak of wisdom and faith and our deeds will be of justice and righteousness.

Bless all Your people, O God, this day and every day, we pray.
Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Illinois (Mr. LAHOOD) come forward and lead the House in the Pledge of Allegiance.

Mr. LAHOOD led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Lundregan, one of its clerks, announced that the Senate had passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 819, an act to authorize appropriations for the Federal Maritime Commission for fiscal years 2000 and 2001.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain 1-minute requests at the end of today's business.

RECESS

The SPEAKER. Pursuant to clause 12 of rule I, the Chair declares the House in recess for 5 minutes.

Accordingly (at 9 o'clock and 5 minutes a.m.), the House stood in recess for 5 minutes.

□ 0910

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LAHOOD) at 9 o'clock and 10 minutes a.m.

APPOINTMENT OF CONFEREES ON H.R. 1501, JUVENILE JUSTICE REFORM ACT OF 1999

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1501) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants to ensure increased accountability for juvenile offenders; to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to provide quality prevention programs and accountability programs relating to juvenile delinquency, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. CONYERS

Mr. CONYERS. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Conyers moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 1501, be instructed to insist that—

(1) the committee of conference recommend a conference substitute which—

(A) includes a requirement that background checks be conducted on all firearms sales at gun shows so as to effectively preclude criminals and other prohibited purchasers (e.g. murderers, rapists, child molesters, fugitives from justice, illegal aliens, stalkers, and batterers) from obtaining firearms from non-licensed persons and federally licensed firearms dealers at gun shows;

(B) does not include any measure that would weaken the effectiveness of background checks currently conducted on individuals seeking to purchase a firearm from a federally licensed firearms dealer;

(C) does not include any measure that would otherwise weaken or eliminate any other provision of Federal firearms law or regulation; and

(D) includes provisions which would authorize funding for school resource officers and school violence prevention programs, including school counselors;

(2) all meetings of the committee of conference—

(A) be open to the public and to the print and electronic media;

(B) be held in venues selected to maximize the capacity for attendance of the public and the media; and

(C) be held during reasonable hours;

(3) the committee of conference allow sufficient opportunity for all members of the committee of conference to offer and debate amendments at all meetings of the committee of conference; and

(4) the committee of conference recommend a conference substitute before Congress adjourns for the August recess so that Congress can pass reasonable gun safety measures before children return to school.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CONYERS) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. HYDE) will be recognized for 30 minutes.

The Chair recognizes the gentleman from Michigan (Mr. CONYERS).

Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H6723

Mr. HYDE. Mr. Speaker, will the gentleman yield?

Mr. CONYERS. I yield to the gentleman from Illinois.

Mr. HYDE. Mr. Speaker, I want to say to the gentleman from Michigan (Mr. CONYERS) that I have no objection to the instructions proposed by the gentleman from Michigan and we will accept them.

I just have one caveat, and that is putting time constraints on this may make it more difficult to resolve. We will do our best. It would be in an ideal world that we could finish this next week.

Mr. CONYERS. Mr. Speaker, reclaiming my time, I say to the chairman, it is not binding, that we are going to do our best to accomplish that.

Mr. Speaker, as disappointed as I have been about the senseless delays that have prevented this Congress from sending to the President's desk reasonable and moderate gun safety measures, I am pleased that we are finally ready to appoint conferees.

□ 0915

On August 16, in just a few weeks, the children who attended Columbine High School in Littleton, Colorado, will be returning to school. It has been over 3 months since the tragedy in Columbine occurred. But because of the delaying tactics by the National Rifle Association and its allies, we have only 1 week to settle the gun safety issues before we adjourn for the summer recess.

We should not delay longer. How can we do nothing when 13 children are killed as a result of gun violence in this Nation every single day?

Nine people were shot to death in Atlanta, Georgia, yesterday, and 12 were wounded. We do not know all the facts, but this was clearly a disturbed man who should not own a gun. We need a comprehensive system of background checks to keep this kind of person from buying a gun. We need to plug the loopholes.

We still have time to make this back-to-school season free from worries about gun violence for our Nation's children and their parents.

Kids should not have unsupervised access to guns. Teachers and parents should know that their children are carrying books, pencils and paper in their backpacks, not guns.

No dangerous criminal should be allowed to buy a gun at a gun show.

That is all that we are asking for.

My motion to instruct conferees is simple:

Number one, it says that a conference report should include measures that prevent criminals from getting guns at gun shows. A murderer, rapist or batterer should not be able to buy a gun at a gun show. It should not matter whether a murderer tries to buy the gun from a licensed or an unlicensed dealer. The murderer should not get the gun. This is common sense.

Number two, it says that a conference report should not weaken cur-

rent gun laws. After the tragedies in Littleton, Colorado, and Conyers, Georgia, American parents cried out for measures that do more to protect their kids from gun violence. How can we as a Congress do less?

Number three, it says that a conference report should provide more school resource officers and counselors for our schools. We need to prevent gun violence in schools before it happens. We need to give teachers, school administrators, and parents the tools they need to make schools safer.

Number four, it says that we need to have a fair and open conference. This House should be ashamed that so much of the House debate on gun safety took place in the dead of night while American families were sleeping and unaware that new loopholes that would give more criminals access to guns were being written. The NRA and its allies should not be allowed to hide any longer.

Mr. Speaker, the young people are going back to school. It is time for this Congress to get back to work and pass modest and reasonable gun safety legislation. With nearly 5,000 of our children being killed by gun violence this year, we certainly cannot afford to put this legislation on hold any longer.

Mr. Speaker, I reserve the balance of my time.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HYDE asked and was given permission to revise and extend his remarks.)

Mr. HYDE. Mr. Speaker, I rise to support the motion to instruct conferees. The gentleman from Michigan's motion makes several points that I know we all agree with, and hence we need no instruction to do. But I am concerned that the motion would also, or might also constrain the work of the conferees in such a way that might well be counterproductive.

The first instruction in the motion is that conferees craft the conference report in such a way that no criminal will be able to buy a gun, at a gun show or anywhere else. I know of no dispute on this point.

The second instruction in the motion is that the conferees not weaken any existing gun laws. I can assure you this side intends for that to happen. In fact, a cursory review of H.R. 1501 as passed by the House shows that the intent of this body is to strengthen the laws that punish the illegal possession and use of a gun. We do not need to be instructed to avoid doing the opposite.

The third point raised by the motion, to ensure that the conference report addresses the issue of school resource officers, is one that can be raised at conference certainly, and I am not aware of any controversy on this point that requires a vote of the full House at this time. I am certain we can address it at the conference itself satisfactorily.

Mr. Speaker, if this motion instructed us to do only that which we

intend to do anyway, it would be superfluous and not needed. But I am troubled by one aspect of it, and that is, the time constraints. We all want to move with expedition. There have been inordinate delays in getting this to this point. But we all know the reasons for that. This is a very contentious and volatile issue and there are diverse interests tugging and pulling us in different directions. And so I expect this to be a difficult but certainly not impossible conference. But I am fully hopeful that we can emerge with a conference report that can command the support of the majority of this House and a majority of the other body.

I also note that next week is going to involve a number of important measures that will be brought to the floor of this House and that of the other body, all seeking to be reconciled and resolved before the August recess. The interruptions that votes on these measures would cause to a conference, were one to be held, might be enough to prevent us from finishing within a week. Simply put, next week is not the wisest deadline for the work of this conference to be completed. But we are going to try. We are going to give it our very best effort.

And so I support the motion to instruct conferees, and I ask my colleagues to support it. I give you in return my assurance that I intend to complete the work of the conference as quickly and as effectively as possible, while still doing all the work expected of us, in as thoughtful and thorough a manner as possible.

Mr. Speaker, I yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Michigan (Mr. CONYERS).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. CONYERS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 305, nays 84, not voting 44, as follows:

[Roll No. 354]

YEAS—305

Abercrombie	Baldwin	Bentsen
Ackerman	Ballenger	Bereuter
Allen	Barcia	Berkley
Andrews	Barrett (NE)	Berman
Baird	Barrett (WI)	Berry
Baker	Bateman	Biggart
Baldacci	Becerra	Bilbray

Bishop
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonior
Bono
Borski
Boswell
Boyd
Brady (PA)
Brown (OH)
Bryant
Buyer
Calvert
Camp
Campbell
Canady
Capps
Capuano
Cardin
Carson
Castle
Chambliss
Clay
Clayton
Clement
Clyburn
Combest
Condit
Conyers
Cook
Cooksey
Costello
Coyne
Cramer
Crowley
Cunningham
Danner
Davis (IL)
Davis (VA)
DeFazio
DeGette
Delahunt
DeLauro
DeMint
Diaz-Balart
Dickey
Dingell
Dixon
Doggett
Dooley
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Eshoo
Etheridge
Evans
Ewing
Farr
Fattah
Filner
Foley
Forbes
Ford
Fossella
Franks (NJ)
Frelinghuysen
Frost
Ganske
Gejdenson
Gephardt
Gilchrest
Gillmor
Gilman
Gonzalez
Goodling
Gordon
Goss
Granger
Green (TX)
Green (WI)
Greenwood
Gutknecht
Hastings (FL)
Hastings (WA)
Hefley
Herger
Hill (IN)
Hilliard
Hinchey
Hinojosa

Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley
Horn
Houghton
Hoyer
Hyde
Inslee
Isakson
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kasich
Kelly
Kennedy
Kildee
Kilpatrick
Kind (WI)
King (NY)
Klink
Knollenberg
Kolbe
Kucinich
Kuykendall
LaFalce
LaHood
Lampson
Larson
Latham
LaTourette
Lazio
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Maloney (CT)
Maloney (NY)
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McHugh
McInnis
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (FL)
Miller, Gary
Miller, George
Minge
Mink
Moakley
Moore
Moran (KS)
Moran (VA)
Morella
Myrick
Napolitano
Neal
Nethercutt
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ose
Oxley
Packard

Pallone
Pascrell
Pastor
Payne
Pease
Pelosi
Peterson (MN)
Petri
Phelps
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Regula
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Rothman
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Sabo
Sanchez
Sanders
Sandlin
Sawyer
Saxton
Schakowsky
Scott
Sensenbrenner
Serrano
Shaw
Shays
Sherman
Sherwood
Shuster
Simpson
Skeen
Slaughter
Smith (MI)
Smith (NJ)
Lowey
Smith (TX)
Smith (WA)
Snyder
Spratt
Stabenow
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thurman
Toomey
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walden
Walsh
Watt (NC)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Wexler
Weygand
Wilson
Wolf
Woolsey
Wu
Wynn
Young (FL)

NAYS—84

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Armey
Bachus
Barr
Bartlett
Bass
Bilirakis
Bonilla
Boucher
Brady (TX)
Callahan
Cannon
Chabot
Chenoweth
Coble
Coburn
Collins
Deal
DeLay
Doolittle
Emerson
Everett
Fletcher
Gibbons
Goode
Goodlatte
Graham

Hall (TX)
Hansen
Hayes
Hayworth
Hill (MT)
Hilleary
Hostettler
Hulshof
Hunter
Jenkins
Jones (NC)
Kingston
Largent
Lewis (KY)
Lucas (KY)
Lucas (OK)
McIntosh
McIntyre
Mollohan
Murtha
Ney
Paul
Pickering
Pickett
Pitts
Pombo
Rahall
Riley

Rogers
Ryun (KS)
Salmon
Sanford
Scarborough
Schaffer
Sessions
Shadegg
Shimkus
Shows
Sisisky
Souder
Spence
Stump
Sununu
Talent
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Wicker
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NOT VOTING—44

Barton
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Davis (FL)
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English

Fowler
Frank (MA)
Gallegly
Gekas
Gutierrez
Hall (OH)
Hutchinson
Johnson (CT)
Johnson, Sam
Klecza
Lantos
Luther
Manzullo
Markey
McCrery

McDermott
Nadler
Ortiz
Owens
Peterson (PA)
Skelton
Stark
Stearns
Tauzin
Tierney
Towns
Waters
Weller
Young (AK)

□ 0954

Messrs. COBURN, COLLINS, STUMP, HAYES, PICKERING, PICKETT, HILLEARY, WHITFIELD, BACHUS, WAMP, CALLAHAN, ROGERS, HALL of Texas, TAYLOR of Mississippi, HULSHOF, MCINTYRE, PITTS, SISISKY, WISE, RAHALL, BILIRAKIS, DEAL of Georgia, SPENCE, COBLE, RYUN of Kansas, SUNUNU, ARCHER, ARMEY, MOLLOHAN, TALENT, DELAY, SOUDER, MURTHA, GRAHAM, and BARTLETT of Maryland changed their vote from "yea" to "nay."

Mr. ROEMER changed his vote from "nay" to "yea."

So the motion to instruct was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EHLERS. Mr. Speaker, on rollcall No. 354, I was inadvertently detained. Had I been present, I would have voted, "yea."

Mr. WELLER. Mr. Speaker, on rollcall No. 354, I was inadvertently detained. Had I been present, I would have voted "yea."

Mr. DEUTSCH. Mr. Speaker, I was unavoidably absent from the Chamber today during rollcall vote No. 354. Had I been present I would have voted "yea."

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following conferees:

From the Committee on the Judiciary, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

Messrs. HYDE, MCCOLLUM, GEKAS, COBLE, SMITH of Texas, CANADY of Florida, BARR of Georgia, CONYERS, FRANK of Massachusetts, SCOTT, BERMAN and Ms. LOFGREN.

Provided, that Ms. JACKSON-LEE of Texas is appointed in lieu of Mr. FRANK of Massachusetts for consideration of sections 741, 1501, 1505, 1534-35, and titles V, VI, and IX of the Senate amendment.

Provided, that Mr. MEEHAN is appointed in lieu of Mr. BERMAN for consideration of sections 741, 1501, 1505, 1534-35, and titles V, VI, and IX of the Senate amendment.

From the Committee on Education and the Workforce, for consideration of the House bill, and the Senate amendment (except sections 741, 1501, 1505, 1534-35, and titles V, VI and IX), and modifications committed to conference: Messrs. GOODLING, PETRI, CASTLE, GREENWOOD, DEMINT, CLAY, KILDEE, and Mrs. MCCARTHY of New York.

From the Committee on Commerce, for consideration of sections 1365 and 1401-03 of the House bill, and sections 1504, 1515, and 1523 of the Senate amendment, and modifications committed to conference: Mr. BLILEY and Mr. DINGELL.

Provided, that Mr. BILIRAKIS is appointed for consideration of section 1365 of the House bill and section 1523 of the Senate amendment.

Provided, that Mr. TAUZIN is appointed for consideration of sections 1401-03 of the House bill and sections 1504 and 1515 of the Senate amendment.

There was no objection.

APPOINTMENT OF MEMBERS TO BOARD OF TRUSTEES OF HARRY S. TRUMAN SCHOLARSHIP FOUNDATION

The SPEAKER pro tempore. Without objection, and pursuant to section 5(b) of Public Law 93-642 (20 U.S.C. 2004(b)), the Chair announces the Speaker's appointment of the following Members of the House as members of the Board of Trustees of the Harry S. Truman Scholarship Foundation:

Mrs. EMERSON, Missouri and

Mr. SKELTON, Missouri.

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will now entertain 1 minutes until approximately 10:45 this morning.

WELCOME HOME TO THE MEMBERS OF THE RED HORSE SQUADRON

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, on June 8, the Secretary of Defense, Bill Cohen, ordered three U.S. Air Force Red Horse Squadron combat engineer teams from Nellis Air Force Base to Albania.

Their mission was to execute critical road and bridge repairs in this war-torn region as part of NATO's efforts to see a peaceful and safe return to a countless number of refugees.

Tonight will be a special evening at Nellis Air Force Base as many of these dedicated troops will be returning to their families and friends. Mr. Speaker, 61 members of the Red Horse Squadron will arrive on base tonight to a warm Nevada welcome.

This last spring, I had the opportunity to visit the Balkan region with some of my House colleagues and we were able to witness firsthand the enormous damage caused to the Kosovo region.

The task of removing land mines and repairing this region is an enormous challenge for our servicemen and women and continues to be to this date.

So on behalf of all Nevadans, let me say "welcome home" to the members of the Red Horse Squadron. I salute them for their valuable service to this country and to this effort.

As we continue to help these refugees back to their farmlands and homes, let us hope that all of our American troops will remain safe and return home in the very near future.

□ 1000

ATLANTA TRAGEDY GOOD EXAMPLE OF WHY WE NEED GUN CONTROL

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, this morning I wish to rise and offer our sympathy to the people of Atlanta, to those who have lost their loved ones and those who are now recovering in Atlanta's hospitals, to Mayor Campbell and the elected officials to which I know that, being the largest number of mass killings in the history of that city, this and yesterday were tragic days.

That is why I think this recent vote was most important. As we move toward conference to be able to establish this conference's and this Congress' position on protecting our youth and having a reasonable and rational response to gun violence in America, it is important to be able to have effective background checks.

What a tragedy that this individual, this alleged perpetrator had a background of violence; and, yet, he was allowed, until we get further facts, seemingly, to get guns.

This Nation must stand up against the proliferation of guns in this country fairly and responsibly. We must do it together, Republicans and Democrats. Mr. Speaker, I look forward to us saying to the American people enough is enough.

WHY IS TAX RELIEF A THREAT TO DEMOCRATS?

(Mr. SHIMKUS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. SHIMKUS. Mr. Speaker, why is the idea of giving tax relief to taxpayers so upsetting to many Democrats?

Could it be that Washington would rather have more money to spend, and the politicians on that side would rather spend more money?

Why is it that Democrats refuse to acknowledge that the Republicans, the Republicans, have passed lockbox legislation to protect Social Security and Medicare while Democrats in the other body have blocked Social Security lockbox legislation?

Why do Democrats mischaracterize the effect of the Republican tax relief package on the national debt, ignoring the \$2 trillion in debt reduction that we provide for?

Why do Democrats refuse to admit that the Republican proposal allocates \$2 for Social Security and Medicare for every \$1 in tax relief?

Why is the new Washington spending not a threat to fiscal discipline where as tax relief is?

Why do Democrats call for higher spending and attack Republicans as extremists for cutting spending while at the same time attacking Republicans for failing to exercise fiscal discipline? Why?

SUPPORT EDUCATION SAVINGS ACCOUNTS

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, last year, the President vetoed the Education Savings Accounts bill that passed both Houses of Congress.

The American people have clear evidence of what Republicans have been saying for years now. The Republican Party is the party of reform. The other party is the party that will defend the education special interests at any price.

One party introduces real reforms with proven results. The other party talks a great game. But when it comes to reform, well, talk is about as far as it goes. If it is a choice between reform and the status quo, they pick the status quo every time.

Offering parents who desire nothing more than to send their children to a good school or at least to a better school is what this is about. Offering parents tax-free savings accounts that can be used for extra tutoring, special education needs, supplementary education materials, or a school in a better part of town is what this legislation is all about.

I urge both Democrats and Republicans who think that these are worthwhile goals to help parents do what is best for their kids. Support our tax bill which includes education savings accounts.

CHAIRMAN GREENSPAN SAYS "MOVING ON TAX FRONT MAKES A GOOD DEAL OF SENSE"

(Mr. WELDON of Florida asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELDON of Florida. Mr. Speaker, Federal Reserve Chairman Alan Greenspan recently testified in a way that my colleagues will never ever hear quoted by the other side. In fact, none of the mainstream newspapers appear to see fit to publish this portion of his remarks, save, of course, for the Wall Street Journal editorial page.

Chairman Greenspan said that he would delay tax cutting unless, and here is the key part, "unless, as I've indicated many times, it appears that the surplus is going to become a lightning rod for major increases in outlays. That's the worst of all possible worlds, from a fiscal policy point of view, and that, under all conditions, should be avoided."

In other words, Mr. Speaker, Chairman Greenspan is saying get the money out of Washington before the liberals spend it. Give it back to the people.

He goes on from there to say, "moving on the tax front makes a good deal of sense to me." Those are the actual words of Chairman Greenspan, not the spin of the White House or the distortions of those on the other side who are forgetting to include the critical portion of the Federal Reserve Chairman's remarks.

REPUBLICAN TAX RELIEF PACKAGE BENEFITS AMERICANS

(Mr. BARTLETT of Maryland asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BARTLETT of Maryland. Mr. Speaker, what would the Republican tax relief package mean to Americans? It would mean that, for many Americans who cannot obtain health insurance through their employers, obtaining health insurance would become easier.

It would mean that more seniors would be able to pass on the family farm or the family business to their children. It would mean that people who save for their future and for their children would be able to get a greater return on their savings.

It would mean that ordinary Americans would see their paychecks go up a little bit, giving them more options, more choices about working, working overtime, or meeting the family budget.

It would mean that paying off those credit card debts would be a little easier. It would mean that married couples would not be penalized so heavily for being married.

Lower taxes means that people would have more control over their lives, over their time, and over their futures.

With a \$3 trillion surplus over the next several years, is that really such a terrifying concept?

TRIGGER MECHANISM ALLOWS RESPONSIBLE TAX CUTS

(Mr. KUYKENDALL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KUYKENDALL. Mr. Speaker, I rise today to express my strong support for the trigger mechanism that we put in the House tax cut bill. This trigger provides a safeguard from incurring massive deficits to finance the tax cuts. It is a simple provision.

If interest paid on the national debt does not go down, then across-the-board tax cuts are delayed until the next year.

It recognizes that budget projections are just that, projections; and if the projections are overestimated, the tax cut will be deferred, avoiding additional debt.

There is no question that Americans are overtaxed and deserve to keep more of their hard-earned dollars. But tax relief, no matter how desirable, must be provided responsibly. That is what the House's tax cut accomplishes.

It is critical that this trigger mechanism stays in the legislation as it comes out of the conference committee.

Tax cuts must be dependent upon tax reduction. I urge the House conferees to keep this responsible provision. Not only is it fiscally responsible, it is plain common sense.

TRIGGER MECHANISM IN TAX BILL PROVIDES FOR TAX RELIEF AND DEBT REDUCTION

(Mr. SMITH of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of Michigan. Mr. Speaker, on the tax cut and on the debt reduction, we are interested in both. We developed a trigger last week when we passed our tax bill that accomplishes the assurance that we are going to pay down the debt. The Senate is putting in a provision in the tax bill that it sunsets after 10 years.

Additionally, we are working on a new trigger that is based on revenues. It says, in effect, that, if the revenues are not there, we are not going to have these kinds of tax cuts.

So the first portion that comes in from increased revenues would be to expand spending. The next portion would be to pay down the debt. What is left over from that would be additional tax cuts.

Let me just give my colleagues a fact that is interesting in terms of the overzealous taxation. We are talking about doing away with 10 percent of the income tax. If we did away with all of the personal income tax, revenues coming into the Federal Government would

still be greater, larger than they were in 1990. That is how fast government is growing. That is how we are sucking the taxes out of Americans' pockets.

Let us leave more of that money in the pocket of the people that earned it.

PEOPLE WHO PAY TAXES ARE WEALTHY, ACCORDING TO THE DEMOCRATS

(Mr. HEFLEY asked and was given permission to address the House for 1 minute.)

Mr. HEFLEY. Mr. Speaker, I have never once heard a Democrat talk about who pays the taxes. I have never heard even a single Democrat cite this remarkable statistic: The top 50 percent of income earners pay 96 percent of the taxes, while the bottom 50 percent pay only 4 percent of the taxes.

Now, let me repeat that, and let me be a little more precise. The top 50 percent of income earners, according to the latest IRS data, pay exactly 95.7 percent of the total Federal income taxes. The bottom 50 percent, those with incomes below \$23,160, the bottom 50 percent pay only 4.34 percent of the total Federal income tax in the country. In other words, low income earners pay almost no Federal taxes at all.

That is why any tax cut is immediately labeled tax cut for the wealthy. Even the \$500 per child tax credit that passed 2 years ago, which was available to all families except the wealthy, was called tax cuts for the wealthy by the other side.

If one is a taxpayer, Democrats think one is wealthy, and one should not have one's tax reduced under any circumstances.

GODSPEED TO REV. DOUGLAS ZIMMERMAN AND HIS YOUTH MISSION TEAM

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, the Reverend Douglas Zimmerman of St. Thomas Episcopal Parish in Miami, Florida has always been known for his unselfish giving and his invaluable service to his parish and community.

Among his many gifts are the precedents he sets and the ways in which he leads children by example into following Biblical teachings.

This Monday, August 2, Reverend Zimmerman will, once again, instruct students to give of themselves as he organizes a group of seven dedicated students and four adults who have volunteered part of their summer vacation to lend a helping hand to underprivileged families in Central America.

During this mission trip, Reverend Zimmerman and his dedicated team of 11 will travel to Honduras, a country which was ravaged by Hurricane Mitch, to establish places of refuge for families which have been left desolate.

They will bring light to a world of darkness by providing children and

their families with the basic necessities which we often take for granted. During their 9-day trip, the mission team will have the unique opportunity of building a House of the Lord, a church where individuals, families, and entire communities can gather.

In light of his many contributions, we congratulate Reverend Zimmerman and the St. Thomas Episcopal Parish youth mission team, that they will have a fortunate journey this summer.

TAXES AND REGULATORY COSTS AMOUNT TO ONE-HALF OF AMERICANS' INCOMES

(Mr. DUNCAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNCAN. Mr. Speaker, the national media has created some very false impressions about the tax cut legislation passed by the House.

First, the tax cut amounts to less than 30 percent of the projected surpluses over the 10-year period of the bill.

Second, in separate legislation, we have set aside more than 70 percent of the surpluses to help pay down the national debt and in a lockbox to meet future needs of Social Security and Medicare.

Third, we added language that says that tax cuts will not kick in if the surpluses do not come in as projected.

Fourth, this is a tax cut spread over 10 years, with the cuts during the first 5 years amounting to only 1½ percent of Federal revenues over that period.

The tax cuts are very moderate, and the Republicans in the House have set aside more than 70 percent of the future surpluses for debt reduction, Social Security, and Medicare.

Mr. Speaker, the average taxpayer pays almost 40 percent of his or her income in taxes now and another 10 percent in government regulatory costs that are passed on to the consumer in the form of higher prices. One-half of everybody's income is too much. Let us give a little bit of it back.

RAISE MINIMUM WAGE

(Mr. CROWLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CROWLEY. Mr. Speaker, I rise today to highlight an important issue that is currently being neglected by the House, the dire need for a raise in the minimum wage for our Nation's workers.

Both sides of the aisle recognize the advantages of new legislation. For this reason I question our delay in moving forward. Our hesitation is leaving cupboards empty as American families struggle unnecessarily.

Today's minimum wage leaves families at 19 percent below the equivalent 1979 poverty level. There is no excuse for this abhorrent fact to continue into the year 2000.

□ 1015

An increase in the minimum wage gives us the unique opportunity to give gifts of security and comfort to the American people. I believe that by stalling on this pertinent issue, we are directly denying our constituents the chance to live the American Dream.

Opponents of increasing the minimum wage would have us believe an increase in the minimum wage would cause employees to lay off workers; that it would hurt the poorest workers and destroy the economy. But I ask, did any of these things happen when we raised the minimum wage to \$5.15 in 1998? As our economy is still strong and unemployment low, clearly none of these negative predictions came to be after the legislation went into effect.

Mr. Speaker, I insist we revisit the issue of raising the minimum wage. The American worker is depending on all of us.

EXTENDING SYMPATHY TO CITIZENS OF ATLANTA

(Mr. ISAKSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ISAKSON. Mr. Speaker, I rise today on behalf of all the Members of this Congress to extend our sympathy to the citizens of Atlanta, to the families of the victims in the tragedy that took place yesterday, and the prayers of this House for those that are in the hospitals recovering.

I also want to extend my gratitude to the hospitals of Grady, of Northside and St. Joseph's, and to law enforcement in Atlanta and the EMTs.

And I close by saying this. In the days ahead, all of us will seek to find some thing to blame in this tragedy. Today, in America, we all share the blame. Violence has become all too repetitive, all too often. It is time for us in this Congress, for those in the media, for everybody in all facets of our society to understand that violence has now permeated mainstream America, and we must begin to act to change the minds and hearts of Americans, or all that we have loved and treasured will begin to be broken down no matter how great and strong our economy.

REPUBLICANS PUT ON THIS EARTH TO CUT TAXES

(Mr. CHABOT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CHABOT. Mr. Speaker, I heard a criticism the other day of the way that Republicans talk about our budget proposal that I think has some merit.

The Republican budget proposal contains three major elements: Saving Social Security and Medicare, paying down the national debt, and tax relief. However, this critic pointed out that Republicans are talking almost exclu-

sively about tax cuts and not emphasizing that we are also saving Social Security and Medicare and paying down the national debt. I think that criticism is valid, but I think I know why that is the case, too.

Republicans are just so excited about the tax cuts that some of them forget to talk about the other vital elements of the budget proposal. Let us face it, Republicans were put on this earth to cut taxes. We are the tax-cutting party, because we believe that people should have more power and control over their own lives and that the government should have less.

Let us be clear once and for all. The Republican budget proposal stands for saving Social Security and Medicare, paying down the national debt and, yes, also cutting the American people's taxes.

RECESS

The SPEAKER pro tempore (Mr. SHIMKUS). Pursuant to clause 12 of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 18 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1248

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PEASE) at 12 o'clock and 48 minutes p.m.

APPOINTMENT AS MEMBERS OF BOARD OF VISITORS TO UNITED STATES AIR FORCE ACADEMY

The SPEAKER pro tempore. Without objection, and pursuant to 10 U.S.C. 9355(a), the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Air Force Academy:

Mr. THOMPSON, California and
Mr. DICKS, Washington.

APPOINTMENT OF CONFEREES ON S. 900, FINANCIAL SERVICES ACT OF 1999

Mr. LEACH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 900) to enhance competition in the financial services industry by providing a prudential framework for the affiliation of banks, securities firms, and other financial service providers, and for other purposes, with House amendments thereto, insist on the House amendments, and agree to the conference asked by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. LAFALCE

Mr. LAFALCE. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. LAFALCE moves to instruct the conferees on the part of the House on the Bill S. 900 and the House amendment thereto, to ensure, consistent with the scope of the conference, that:

1. Consumers have the strongest consumer financial privacy protections possible, including protections against the misuse of confidential information and inappropriate marketing practices, and ensuring that consumers receive notice and the right to say "no" when a financial institution wishes to disclose a consumer's nonpublic personal information for use in telemarketing, direct marketing, or other marketing through electronic mail; and

2. Consumers enjoy the benefits of comprehensive financial modernization legislation that provides robust competition and equal and non-discriminatory access to financial services and economic opportunities in their communities; and

3. Consumers have the strongest medical privacy protections possible, and thereby prevent financial institutions from disclosing or making unrelated uses of health and medical and genetic information without the consent of their customers, and therefore agree to recede to the Senate on Subtitle E of Title III of the House amendment.

Mr. LAFALCE (during the reading). Mr. Speaker, I ask unanimous consent that the motion be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The gentleman from New York (Mr. LAFALCE) and the gentleman from Iowa (Mr. LEACH) each will control 30 minutes.

The Chair recognizes the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, I ask unanimous consent to yield 15 minutes for the purpose of controlling time to the gentleman from Michigan (Mr. DINGELL), the distinguished ranking member of the Committee on Commerce.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, I yield myself such time as I may consume.

I move that the motion to instruct be adopted by this House, Mr. Speaker. This bill is very important to American consumers for many reasons, particularly two.

It includes the important new financial privacy protections to ensure that financial institutions do not share private financial information with other companies. Consumers are tired of the barrage of phone and mail solicitations to which they are now subject and the careless use of their credit card and other private information which makes these solicitations possible. This bill would protect consumers against such practices and impose significant new obligations on financial institutions to protect consumer privacy.

This bill also contains strong community reinvestment provisions to ensure that consumers and communities

receive fair and nondiscriminatory access to financial services in the new marketplace that is evolving.

Our motion, therefore, instructs the House conferees in negotiations with the Senate to insist on the strongest possible provisions on financial privacy, community reinvestment and nondiscrimination and medical privacy.

Mr. Speaker, I urge my colleagues to support the motion.

Mr. Speaker, this bill is very important to American consumers for two reasons. It includes important new financial privacy protections to ensure that financial institutions do not share private financial information with other companies. Consumers are tired of the barrage of phone and mail solicitations to which they are now subject, and the careless use of their credit card and other private information which makes these solicitations possible. This bill would protect consumers against such practices and impose significant new obligations on financial institutions to protect consumer privacy. This bill also contains strong community reinvestment provisions to ensure that consumers and communities receive fair and non-discriminatory access to financial services in the new marketplace that is evolving.

This motion therefore instructs the House conferees, in negotiations with the Senate, to insist on the strongest possible provisions on financial privacy, community reinvestment and non-discrimination, and medical privacy.

H.R. 10 contains strong financial privacy provisions which received virtually unanimous support, passing this House 427-1. Those provisions: Impose an affirmative obligation on all financial institutions to protect confidential information; require full disclosure of privacy policies and consumer rights to opt-out; direct regulators to establish standards for assuring the safety and confidentiality of financial records; prohibit the sharing of account numbers and access codes for marketing, including direct mail and e-mail marketing; permit consumers to block release of their private financial information for use in marketing; limit entities that receive financial information from reusing or reselling it to others; prohibit pretext calling and other deceptive means of obtaining private information; and provide for strong regulatory enforcement of privacy rights.

The Senate financial modernization bill—S. 900—contains only minimal privacy provisions regarding pretext calling. This motion instructs the House conferees to insist on the House provisions and the strongest consumer financial privacy protections possible.

Secondly, H.R. 10 contains strong community reinvestment provisions that ensure that publicly insured financial institutions equally and fairly serve all members of their communities in the new financial system that this bill otherwise creates. H.R. 10 ensures that community reinvestment laws remain relevant and viable in a more integrated financial services system. These provisions have enjoyed bipartisan support throughout this process.

Community reinvestment legislation was passed by Congress over twenty years ago to combat discrimination by publicly insured financial institutions and provide equal access for all Americans who qualify for home and small business loans and to community groups seeking loans to revitalize poor neighborhoods.

H.R. 10 maintains the central importance of these laws in our financial services system. S. 900 contains three provisions which substantially weaken community reinvestment laws and render them virtually irrelevant in the changing financial marketplace. President Clinton has made it abundantly clear that he will veto any bill that contains the Senate provisions. In contrast, the Administration can strongly support the bill passed by the House and the community reinvestment provisions it contains. This motion instructs House conferees to insist on the strongest possible community reinvestment provisions, reflected in the House product.

Finally, H.R. 10 contains a provision authored by Congressman GANSKE on medical privacy which the Administration, privacy groups, medical groups and many commentators argue contain substantial loopholes. In their current form, these provisions in fact represent less protection than what is available under existing law, and preempt strong privacy provisions available in the states. The Administration strongly opposes the Ganske provision. This motion instructs House conferees to insist that any medical privacy provisions give consumers the strongest medical privacy protections possible, prevent financial institutions from disclosing or making unrelated uses of health, medical and genetic information without consumer consent, and therefore recede to the Senate.

I urge my colleagues to support the motion.

Mr. Speaker, I reserve the balance of my time.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

First, Mr. Speaker, let me say I intend to yield 15 minutes to the gentleman from Iowa (Mr. GANSKE) as a representative of the Committee on Commerce at the appropriate point.

Mr. Speaker, I agree with, in fact, the first two provisions of the motion to instruct and will reluctantly accede to the third, but I am compelled to note that the controversy over the medical privacy provisions that this motion to instruct seeks to strike from the bill presents one of the most ironic circumstances that I have dealt with as a committee chairman.

The same Members who have quite properly insisted on placing privacy protections for consumers of financial services in the bill are now strenuously insisting on deleting from it a provision that would offer consumers powerful new protections in an area where there is perhaps the greatest sensitivity to privacy, that relating to personal health and medical records.

I continue to believe that the medical privacy provision championed by the gentleman from Iowa (Mr. GANSKE) and others has been widely misunderstood both by Members of this body and outside groups that have expressed certain skepticism.

Here let me be clear. The provisions would block the sharing of the individually identifiable customer, health, medical, and genetic information by an insurance company either within an affiliate structure or with outside third parties unless the customer expressly consents to such disclosure with a lim-

ited number of exceptions related to medical research or normal and customary underwriting in business functions.

It should be emphasized that the Ganske language does nothing to undermine the more comprehensive medical privacy proposals being developed by other congressional committees or by the Clinton administration. The provision plainly states that it will not take effect or shall be overridden if and when Congress enacts comprehensive medical privacy legislation satisfying the requirements of the Health Insurance Portability and Accountability Act of 1996.

Moreover, as both the gentleman from Iowa (Mr. GANSKE) and I made clear as legislative intent in House debate on the subject, the provision in no way undermines the authority of the Secretary of Health and Human Services to promulgate regulations in this area if the Congress fails to meet its statutory mandate by August 21 of this year.

In short, the provision was carefully designed to supplement rather than supplant or supersede other private and public sector legal and institutional barriers to the sharing of private health and medical information.

As I have repeatedly stated, I was prepared to work at conference to further clarify the bill's text. The future HHS rulemaking would not be preempted. I also agreed to seek to remedy any imperfections in language that might realistically be deemed to compromise patient confidentiality. However, in light of the controversy generated by the provision and because I would like to proceed in as bipartisan a fashion as possible in producing a financial modernization bill that the President can sign into law, I am prepared not to fight instruction that the House recede to the Senate position on this issue. But in so doing I would reiterate my belief that opposition to the Ganske approach is based upon an underlying premise that is frail and upon outside advocacy that may be misdirected.

Accordingly, it is my hope that those Members and outside associations that have so vehemently opposed addressing the issue of health and medical privacy in this bill will re-examine their positions. Little, after all, would seem more self-apparently appropriate than to prohibit sharing of medical records within or outside financial services companies without patient consent.

Future Congressional and administrative actions to fashion law and regulation in this complex area will no doubt be modeled in large part on the provision that this instruction is designed to delete. But here the irony should further be underscored that HHS discretion, which the gentleman from Iowa (Mr. GANSKE) and I are totally willing to protect, in any event only goes to health insurance. So what is happening here is that the motion to instruct is knocking out legislative

protections for all medical privacy without the prospect that privacy protections for life and disability insurance can be addressed through administrative action.

After all the contentions on the minority side that privacy protections should be in the bill, the argument now is that they should not be in the bill. I want bipartisanship and administration support for this legislation so I am willing to accede, but let me stress not without a degree of incredulity.

Mr. Speaker, I reserve the balance of my time.

Mr. MARKEY. Mr. Speaker, I yield myself 3 minutes.

The SPEAKER pro tempore. Does the gentleman seek to claim the time allocated to the gentleman from Michigan (Mr. DINGELL)?

Mr. MARKEY. I do, Mr. Speaker.

The SPEAKER pro tempore. Without objection, the gentleman from Massachusetts is recognized.

There was no objection.

Mr. MARKEY. Mr. Speaker, I rise in strong support of the LaFalce motion to instruct the House conferees. With this legislation the Congress will be breaking down the Glass-Steagall walls that long have restricted limited affiliations between banks, securities firms and insurance companies and allow these financial services institutions to merge and to affiliate with one another.

I support this effort. The gentleman from Michigan (Mr. DINGELL) supports this effort. This is not really what we are debating here today. The great truth, however, of finance in the information age is that it is the telecommunication wires that have reshaped the financial services industry. It is the telecommunications revolution which has made possible this global financial revolution. It is this telecommunications revolution which makes it possible for the first time to really bring together all of these various services in a way that can serve individuals and nations much more efficiently than they ever have in the past.

But, as I have said before, there is a Dickensian quality to this wire. It is the best of wires, and it is the worst of wires simultaneously. Yes, it can make the banking and insurance and brokerage industries more efficient, but yes, at the same time it can also compromise the privacy of every single family in the United States.

The LaFalce motion to instruct says that the conferees shall ensure, consistent with the scope of the conference, that consumers have the strongest consumer financial privacy protections possible, including protections against the misuse of confidential information and inappropriate marketing practices. The conferees must also ensure that consumers receive notice and the right to say no when a financial institution wishes to disclose a consumer's nonpublic personal information for use in telemarketing, direct

marketing, or other marketing through electronic mail. Now I ask my colleagues what is wrong with that? What is wrong with that?

Second, the motion instructs the House conferees to ensure that consumers have the strongest medical privacy protections possible and thereby prevent financial institutions from disclosing or making unrelated uses of health and medical and genetic information without the consent of their customers and strike the flawed Ganske language that would weaken protections under current State or federal laws or regulations.

□ 1300

Finally, the motion by the gentleman from New York, the LaFalce motion, instructs the House conferees to ensure that consumers enjoy the benefits of comprehensive financial modernization.

These are critical issues that need to be properly addressed. There are tremendous opportunities for innovation and for entrepreneurship in finances, banking moves online. But we have a difference that is developing between the privacy keepers, on the one hand, and the information reapers on the other.

The CEO of Capital One Financial recently noted, credit cards are not banking, they are information. And the data miners fully intend to exploit their access to and control of consumer personal information for fun and for profit.

We believe that is wrong. We believe that the LaFalce instructions are critical to ensuring that, as we move forward with all of the new efficiencies in the financial services world, that we also ensure that we are protecting individuals against those that might seek to take advantage of it.

Mr. Speaker, I reserve the balance of my time.

Mr. GANSKE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I think there has been a lot of miscommunication, misunderstanding about the medical privacy provisions that we passed here in the House. I will just briefly go over those.

Those medical privacy provisions would not preempt State privacy laws, they would not obstruct future State privacy laws, they would not allow insurance companies to sell medical information to drug companies, they would not block the Secretary of HHS from issuing provisions under HIPAA, which interestingly, as the chairman of the Committee on Banking and Financial Services pointed out, is limited to health insurance, whereas the provisions on medical privacy in the bill that we passed here in the House goes for all insurance. So it is more inclusive than what was in HIPAA. And it would say that, unless a customer specifically agreed, an insurer could not give any medical information to its affiliates, much less any third party; and I think that is important.

I think the bill would be better with that provision in there.

Now, there has been a lot of controversy about some of the exceptions in that provision, and I have shared with all of the colleagues in the House, Republican and Democrats, a "Dear Colleague" that goes into some detail on this, which I will insert into the RECORD at this time.

HOUSE OF REPRESENTATIVES,

Washington, DC, July 12, 1999.

DEAR COLLEAGUE: The medical privacy provision in H.R. 10 restricts disclosures of customer health and medical information by insurers.

Some concerns have been raised about the exceptions to the opt-in policy. I would like to take this opportunity to define some of the terms found in the exceptions and dispel the misinformation that is being circulated regarding these provisions.

Under current law, an insurance company obtains medical record information only with an individual's authorization. The medical privacy provision in H.R. 10 relates to how an insurance company shares the data after it has acquired it. The provision states that insurers can only disclose this information with an individual's consent except for limited, legitimate business purposes. These provisions would apply to all insurers who are currently engaged in the insurance business, and who have millions of contracts in force right now. Without these exceptions, these insurers would no longer be able to serve their customers.

The exceptions include ordinary functions that insurance companies are already doing in their day-to-day business. Such operations include:

Underwriting: Insurers use health information to underwrite. The price someone pays for insurance is based in part on an individual's state of health. Insurers gather medical information about applicants during the application and underwriting process. Underwriting is fundamental to the business of insurance. During the underwriting process, an insurer may use third parties, such as labs and health care providers to gather health information and/or to analyze health information. The insurer may also use third parties to perform all or part of the underwriting process and must disclose information to these third parties, such as doctors or third party administrators, so that they can enter into the contract in the first place.

Reinsuring Policies: Insurance companies sometimes assume a "risk" and then further spread the risk by "reinsuring" a policy. While often a "reinsurance" arrangement is made at the initiation of a contract, there are also times when reinsurance occurs after the policy is issued. The reinsurer needs access to the first insurer's underwriting practices as part of its due diligence. Without this language, the wheels of the reinsurance industry could literally grind to a halt.

Account Administration, Processing Premium Payments, and Processing Insurance Claims: In order to pay a claim for benefits, the insurer has to process the claim. This is a basic business function. These activities are the very reasons an individual signs up for a policy in the first place. Companies may use third party billing agencies and administrators to process this information. A company that doesn't today, may tomorrow; and we need to ensure that they can, so that consumers can be served.

Reporting, Investigating or Preventing Fraud or Material Misrepresentation: There are certainly times when individuals may not want to disclose all of their health information for valid reasons. However, there are

those that may try to hide health information relevant to whether a policy would be issued or what would be charged for that policy. For example, nonsmokers usually pay less for insurance than smokers. On the other hand, if you have a chronic illness your premium may be higher. If an individual is engaged in fraud of material misrepresentation, it is highly unlikely that they would give their consent so that the insurer could disclose this information, for example, to its law firm to undertake an investigation of the matter or to the insurance commissioner or other appropriate authorities.

Risk Control: Credit card companies and other financial institutions involved in billing, conduct internal audits to ensure the integrity of the billing system. During this process, the company verifies that merchants, credit card holders and transactions are legitimate. These audits are done on random samples in which transactions dealing with medical services are not segregated or treated differently from other types of transactions. However, if this exception were not included, the company would be prevented from verifying the validity of transactions dealing with medical services. This would open the door for much fraud and abuse or the inability for consumers to write checks or use credit cards to pay for medical co-payments.

Research: Insurers do research for many purposes. For example, life insurers will do research related to health status and mortality to help them more accurately underwrite and classify risk. This provision is needed so that insurers can continue to do research.

Information to the Customer's Physician: This exception is necessary to allow insurers to release information to an individual's physician. For example, during the underwriting process, an insurer may conduct blood test on an applicant. If the blood tests indicate that there may be something wrong, the insurer needs to be able to share the information with the individual's designated physician or health care provider so that they, together, can determine the best course of treatment.

Enabling the Purchase, Transfer, Merger or Sale of Any Insurance Related Business: No one has a crystal ball. A company does not know in advance when they will engage in these activities. It would be impractical if not impossible to obtain the tens of thousands of authorization forms signed and returned to the company so that a company could purchase, transfer, merge or sell an insurance related business. Without this language, companies will not be able to serve their customers by forging new business frontiers. Since the privacy provision covers all insurance companies, the purchasing company will have to abide by the same restrictions as the original company.

Or as Otherwise Required or Specifically Permitted by Federal or State Law: There are some states that require or specifically permit the disclosure of medical information by insurance companies. For example, a company may have to disclose health information to a state insurance commissioner so that the commissioner can determine if the company is complying with state law banning unfair trade practices. A company may have information that would help the police in an investigation where they suspect an individual has murdered someone in order to collect life insurance benefits. This language is necessary for these and other important public interests.

I hope that this brief explanation of the exceptions to the strong "opt-in" provisions of the medical privacy provisions of H.R. 10 clears up some misperceptions. During floor

debate, I said I would work to include explicit language stating that this provision does not prohibit the secretary of HHS from issuing regulations on medical privacy as specified by HIPAA.

Furthermore, I hope consensus can be achieved on a comprehensive medical privacy bill. However, I remain convinced that as new financial services entities that combine banking, securities and insurance are created by H.R. 10, it is important that personal health data can be shared inside, or outside, the company only with the patient's permission. That is what the Ganske Amendment did.

If you need additional information, please contact Heather Eilers at 5-4426.

Sincerely,

GREG GANSKI,
Member of Congress.

Mr. Speaker, I think that this is a very important bill. And I do not think this bill should rise or fall on this issue. Clearly, there are a number of privacy groups that have thought that the provisions were not as complete. On the other hand, many of the insurance companies we have received communications from have said that they are more than what they are comfortable with.

So at this point in time, I would agree with the chairman of the Committee on Banking and Financial Services, and I would accede to his decision in terms of the motion to instruct. I hope that we are able to come up with a comprehensive bill on medical privacy. Our committee will be working on that. I regret that without this provision I think the bill is not as strong as it should be, but I think that we will be working on this in other venues.

Mr. Speaker, I reserve the balance of my time.

Mr. LAFALCE. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. VENTO).

Mr. VENTO. Mr. Speaker, I thank the gentleman for yielding me this time. I rise in support of the LaFalce motion to instruct.

Mr. Speaker, the fact is that the Senate and House bills, with regard to financial modernization, are significantly different. While they both embrace financial modernization and extend new powers and responsibilities to the insurance securities and banking entities, bringing about really a revolution in terms of the way we engage our financial services, the fact is that it is only the House bill that offers strong, new consumer protections that are vitally necessary in that electronic world, including the privacy provisions that have been written by the Committee on Banking and Financial Services and the Committee on Commerce and strongly supported on a bipartisan basis, at least on the floor.

The fact is that those provisions ought to be retained in terms of this conference. I think that the House can empower the conferees by, in fact, supporting this motion and giving us a strong vote and a reendorsement in defiance to the Senate's position, which has very few protections or hardly addresses this basic issue. They do have

pretext-calling and some other matters, but we need the power of the House behind us in conference, and a vote for this motion will do that.

Similarly, the provisions that deal with service to consumers and community reinvestment, the House bill actually expands on those powers and maintains them, while the Senate bill actually draws back and would reduce the effectiveness of financial institutions in terms of serving their community, taking away the responsibilities, and these are basically the consumer games.

On the issue of medical privacy, obviously there is a great deal of concern here. Many are happy with the bill and think that it can be corrected; others are looking at two birds in the bush and think that they can actually gain more through the administrative procedures and through a separate act in terms of action. I would just point out that most of the issue with medical privacy and the way we approach it has dealt with what doctors and patients do. The fact of the matter is we need to address insurance companies, we need to address life insurance, we need to address disability. The facts I think are somewhat clouded today as to what that affects.

So I think people will keep somewhat of an open mind. I think we are seeking a common cause in terms of the greatest privacy, the greatest medical privacy that can be written. I just think it is important to point out with the whole issue of privacy that we are with financial institutions going to have the strongest statement in terms of law with regards to privacy that exist in any entities, any businesses in this Nation, including commercial and many other businesses, and the Internet itself, incidentally, which has few, if any restrictions on it, and even there, the regulators, which some had sought to empower, are offering voluntary compliance as adequate.

Privacy is increasingly on the minds of consumers as they see the technological advances eroding barriers, linking heretofore random data, shrinking the world, and sharing their personal profiles with others.

In these post-H.R. 10, post-Know Your Customer days, we have become, finally, a very sensitized Congress. With every day it becomes clearer that the American economy is running on data: customer data. We collect, disseminate, study, share and peddle profiles and preferences of people to run companies, enforce laws, and sell products. But what voice and choice does any consumer have over their own personal and public data? What is the right balance of free information flow vs. privacy protection? Should the only choice a consumer has be that she/he not do business with a company or a group of companies because she/he doesn't like their privacy policies?

This House passed strong privacy provisions when it passed H.R. 10 earlier this month. This motion to instruct would serve as a notice to the House Conferees and the Senate's Conferees that we will be looking for the

strongest privacy provisions for American consumers. As passed by the House, the bill affords consumers with new important safeguards for their financial privacy, putting banks, credit unions, securities and insurance firms at the forefront of many other U.S. sectors.

H.R. 10 provides strong affirmative provisions of law to respect and provide for a consumer's financial privacy and to have a privacy policy that meets federal standards to protect the security and confidentiality of the customers personal information. H.R. 10 prohibits the sharing of consumer account numbers for the purposes of third party marketing. This protection applies to all consumers and requires no action on their part. Consumers can "opt-out" of sharing of information with third parties in a workable fashion that protects consumers' privacy while allowing the processing of services they request. And importantly, regulatory and enforcement authority is provided to the specific regulators of each type of financial institutions.

H.R. 10 specifically prohibits the repackaging of consumer information. Data can not be resold or shared by third parties or profiled or repackaged to avoid privacy protections. Further, consumers must be notified of the financial institution's privacy policy at the time that they open an account and at least annually thereafter.

These are giant steps forward. These common sense, hopefully workable provisions were added to the substantial protections already included in H.R. 10 that prohibit obtaining customer information through false pretenses. They will also augment what is currently in law for consumers to protect their privacy.

Mr. Speaker, what is clear is that a law that requires consumer action is appropriate but third party and affiliate "opt-out" is hardly the first and last word in consumer rights. We can do more and can do better. The fact is that a number of consumers have such a right today under Fair Credit Reporting Act or institution policies. Even with that authority, only a small fraction of individuals, less than 1 percent, exercise that option. Consumer choice may give us a positive feeling of a remedy but what does it really accomplish—what is the bottom line? Does it provide choice if only a fraction of 1% responds to "opt out"?

The fundamentals of this are that people want to know what information is being collected, how and why. U.S. citizens want to know how the data about them is being protected. Consumers want to know to correct false information. Americans want to know how the laws are enforced. Businesses seeking customers ultimately need to bear this in mind, or they will not be in business. Business wants a fair opportunity to provide options and use information to better serve their customers. Business wants a level playing field across economic sectors. Business wants to develop the means to keep data confidential and accurate. The Conferees must advance the strongest possible privacy provisions within this framework.

Additionally, this motion would instruct the Conferees to seek the best possible conclusion for consumers and communities so that they remain a core constituency that can benefit from passage of financial services modernization. Consumers must enjoy the benefits of comprehensive financial modernization leg-

islation that provides vigorous competition. All consumers regardless of race, class or creed, need and deserve access to financial services and economic opportunities in their communities, wherever they may be in this country: rural or urban, suburban or exurban, East or West, and North and South. All are entitled to investment in their communities and equal opportunity for credit and services. The Conferees for the House will do well for this House and the American people if they endeavor to balance such consumer concerns with those of the giants of industry seeking to blend their products and companies to be competitive for the future.

Thousands upon thousands of successful partnerships have been forged to provide local businesses with access to credit, homeowners with mortgages and community development organizations with the wherewithal to make a difference in their neighborhoods. Laws like the Community Reinvestment Act provide the bedrock, the foundation for such partnerships and we must work to strengthen CRA and other laws that help assure the creditworthy needs of communities are served fairly.

Finally, Mr. Speaker, with regard to medical privacy, we seek to have the highest and best protections for consumers that have relationships with financial institutions that could receive and share confidential health and medical information. While I have differences regarding the language in the motion, we all agree that we must seek the strongest provisions that prevent the unrelated use or disclosure of health, medical and genetic information. Further we should not weaken any federal or state protections in law or regulation.

As most are aware, there is currently a much larger process outside of this bill. Many interested parties are working on either a legislative solution or the possibility of regulations from the Department of Health and Human Services to address comprehensively for all health industry businesses and entities, regardless of corporate structure, that will hopefully provide the framework for what is the definitive and proper practice for sharing medical information. To the degree that that process works to cover the affiliated structures, life insurance and property and casualty insurance entities that would affiliate with banks, we do not want to undermine it. Where it is not sufficient, we hope to complement and strengthen it.

This motion should not be out of line with what we have tried to do—in good faith—in the House-passed version of financial services modernization. The statements of so many members allude to their firm belief that we should not and would not supersede the work of HHS in response to the 1996 Health Insurance Portability and Accountability Act of 1996 (HIPAA), passed by this Congress and signed into law. We must assure that the language neither supplants nor has a negative effect on the law or the regulations. Moreover, we must be absolute in assuring that stronger state laws are not preempted. Finally, we must be diligent in assuring that we are prepared for the possibility that the HHS regulations or potential law passed by Congress regarding the health insurance industry will not entirely apply to other insurance entities. In that event, we must with no uncertainty, obtain the strongest possible medical privacy provision so that all Americans are not vulnerable to the misuse of such information in credit or other decisions made by affiliated companies.

I understand that this is a priority of the President, who spoke to this in his State of the Union address to the Nation. We share the goal that we must make true medical privacy a reality for all Americans as soon as is practically possible. Medical privacy should not be breached by financial modernization. The ultimate legislative and regulatory solutions must properly affect the structures we hope to create under financial services modernization so that we are not left with a void that leaves customers vulnerable to inappropriate medical information sharing.

So I rise in support, and I urge Members to give us this vote of confidence.

Mr. LEACH. Mr. Speaker, I yield 2 minutes to the gentlewoman from New Jersey (Mrs. ROUKEMA).

Mrs. ROUKEMA. Mr. Speaker, I find myself in agreement, mostly in agreement with what has been said on different sides of this subject today, and I certainly agree with my chairman and with what the gentleman from Iowa (Mr. GANSKE) has stated in terms of conceding to this motion to instruct.

However, I think there are two important things that should be included here, and one is that when we are in conference, we not only have to look very carefully at whatever was done with the Ganske amendment, as this motion instructs us to do; but also, we want to be very sure that in doing this, we are not opening up another loophole. I think we all have good intentions here and intellectual competence in this area so that we can constructively and honestly address that.

Mr. Speaker, I also want to state that I have been working for a long time, both in my subcommittee with hearings, as well as outside the subcommittee, with those medical groups that have raised some legitimate concerns on this subject. I am going to continue those hearings on privacy, whether it be financial privacy or medical privacy; but whatever is done here is only a first-step foundation. The issue of privacy, more comprehensive, will have to be addressed by this Congress across the board. I want to be part of that project.

Mr. MARKEY. Mr. Speaker, I ask unanimous consent to transfer control of the remaining time of the Committee on Commerce minority to the gentleman from Michigan (Mr. DINGELL), the ranking member of that full committee.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. DINGELL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I rise in support of the motion to instruct the conferees on H.R. 10, the Financial Services Act of 1999.

I support the idea that we should have responsible modernization legislation. That legislation must contain strong protection for taxpayers, consumers, investors, that ensures the safety and the soundness of the banking system, as well as the efficiency,

competitiveness and integrity of the capital markets of the United States, and also fair and nondiscriminatory access to our economic opportunities by all Americans.

I voted against H.R. 10 on final passage earlier this month because it did not meet these tests, and I intend to work hard in the House-Senate conference to improve this legislation so that all Members can support it in good conscience. We cannot come back to the House with a conference report that does not give consumers adequate control over their private, financial, and medical records.

Mr. Speaker, I would note that the so-called health information protections in H.R. 10 serve only to protect the insurance industry, not consumers. Proponents of the medical privacy provisions of H.R. 10 contend that consent is required before the insurer discloses personally identifiable health information to another party, but they never note that there is a two-page list of exemptions to this rule that basically guts any real right of the consumer to be protected, or his right of consent.

In fact, there is nothing in H.R. 10 that would prevent insurers from selling one's health information for profit. Neither are there any restrictions whatsoever as to what people or companies that receive one's medical records may do with them. They are free to sell one's records to employers, information brokers, banks, pharmaceutical companies, or anybody else they please for good motive or bad. Once one loses one's medical privacy, they cannot get it back.

The medical privacy provisions of H.R. 10 would actually preempt stronger State protections already in effect. It would wipe out over 57 State laws, many of which have stricter safeguards for sensitive medical records such as mental illness or HIV. There is also a question of whether enactment of the medical privacy provisions of H.R. 10 would preclude authority otherwise already available to the Secretary of Health and Human Services, to go forward with the issuance of real consumer privacy protections that apply to health information held by doctors, hospitals, and government agencies.

In addition, the bill contains some rather laughable financial privacy provisions that tell a bank simply to disclose its privacy policy, if it has one. H.R. 10 also gives very weak protection to investors for transfers of sensitive financial information to third parties, leaving the door wide open for sharing one's personal financial information with affiliated telemarketers and others.

By voting to instruct the conferees on this bill, the House will be on record in favor of the strongest possible provisions to protect consumer privacy, both with regard to financial records and health records. A vote in favor will also put the House on record in favor of ensuring that this legislation will allow all consumers to ensure not only

the benefits of the legislation and non-discriminatory access to financial services and their communities. I urge all of my colleagues to support this motion.

Mr. Speaker, I reserve the balance of my time.

Mr. GANSKE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. THOMAS).

(Mr. THOMAS asked and was given permission to revise and extend his remarks.)

Mr. THOMAS. Mr. Speaker, as chairman of the Subcommittee on Health in 1996 and working on the legislation commonly known as HIPAA, there was a clear understanding that more and more as we computerize records and indeed, even today with paper records, we need a greater degree of security to provide for confidentiality for patients. That is why we purposefully put Congress under the gun. That is, we said in that legislation in 1996 that Congress had 3 years to act. If Congress did not act in 3 years, the Secretary of Health and Human Services would then write the provisions.

One would think that Congress would act on its own. I have to tell everyone within my voice, Congress is an institution that almost always reacts instead of acts. One of the best ways to get Congress to act is to create a time anvil. That is exactly what we have here.

At the end of August, the Secretary begins promulgating confidentiality and privacy regulations, unless Congress acts. It creates a requirement that Congress act.

The gentleman from Maryland (Mr. CARDIN), a member of the Committee on Ways and Means and myself have been working on confidentiality legislation which will be bipartisan and comprehensive.

□ 1315

What was placed in this financial services package because of the timing of the movement of this product is absolutely appropriate. It says that the paragraph will not take effect, or shall cease to be effective, on and after the date on which legislation is enacted that satisfies the requirements. It says, if Congress does its job, this provision does not do its job.

I want Members to understand what the Democrat motion does. It says, they will recede to the Senate on that provision I just read. What is in the Senate? Nothing. In other words, they are asking us to recede to the Senate on nothing.

Everybody knows the phrase, less is more. This drives it to the position that nothing is maximum. It removes the anvil. It means there is less pressure on us to do our job that we said we were going to do 3 years ago. Where is the pressure to force the appropriate compromise if we have no pressure at all on these Members, without the administration to write the regulations?

We think Congress ought to do its job. It makes no sense whatsoever to

recede to the Senate when the Senate has nothing. The only useful language is to say that this is a holder, and it will be here until Congress does its job.

Please, let Congress do its job using the time frame that forces us to agree. Do not vote on this. Do not recede. Do not say there should be nothing, instead of the very excellent amendment that the gentleman from Iowa (Mr. GANSKE) put in that is in this measure.

When we go to conference, keep the anvil. Make us do our job.

Mr. VENTO. Mr. Speaker, I claim the time of the gentleman from New York (Mr. LAFALCE), in his absence.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the gentleman from Minnesota (Mr. VENTO) claims the time of the gentleman from New York (Mr. LAFALCE).

There was no objection.

Mr. VENTO. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, despite the rosy picture of unprecedented wealth on Wall Street and the strong performing economy for some Americans, many Americans still face social and economic problems. As conferees prepare to negotiate H.R. 10, the Financial Services Act of 1999, there are two ways that the conferees can help to eliminate the unfortunate predicament of America's less fortunate persons.

First, conferees must take an uncompromising position on strong Community Reinvestment Act language. The Community Reinvestment Act was enacted in 1977 to cure the lingering effects of past discrimination and to revitalize decaying American neighborhoods, to help Americans realize the dream of home ownership.

CRA has led to over \$1 trillion in loans to low- and moderate-income communities. However, language in the Senate's financial services modernization bill, S. 900, threatens to undermine the progress of community revitalization. The Senate bill undermines the Community Reinvestment Act by weakening the CRA enforcement provisions in H.R. 10, eliminating the ability of community groups to participate in the CRA review process, and by providing unconscionable small bank exemptions that would cause harm to rural communities.

Conferees must be strong on CRA. Americans deserve nothing less.

Second, we must understand that lifeline banking provides banking services to low-income persons, and I had in the last bank modernization bill an amendment for lifeline banking. This time we were not able to get it in on the House side, but it is extremely important. It is necessary because over 30 million Americans do not have bank accounts with a traditional financial institution. Lifeline banking is good commonsense public policy that will help to bring America's poor into the banking mainstream.

Additionally, the conferees must address the important issue of financial

privacy. So I would submit for the conferees that they should include this information.

Mr. DINGELL. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from California (Mrs. CAPPS).

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I thank my colleague for yielding time to me.

Mr. Speaker, I rise in strong support of this motion to instruct the conferees on H.R. 10. In particular, I want to commend the gentleman from New York (Mr. LAFALCE) and the gentleman from Michigan (Mr. DINGELL) for the language contained in this motion regarding the importance of medical privacy.

Let me say first that I strongly believe this Congress should pass financial services modernization this year. Laws governing this industry are outdated and inefficient. They increase consumer costs and they limit consumer choices. They need to be changed. But in so doing, we must ensure that we protect not only the privacy of consumers' sensitive financial information, but also of their medical records, as well.

As a nurse, I know that in order to be effectively treated, patients must share all their health information with their doctors, therapists, and other providers. No diagnosis is complete without it. But if patients do not feel that their information will stay put with their health care provider or insurance company, if they cannot be sure that their most private and sensitive information will be kept confidential, they will not be so forthcoming. That would hurt patient care.

I wish to submit now for the RECORD a list of national organizations opposed to the medical records provisions in H.R. 10.

In contrast to the House version of H.R. 10, we must ensure that the financial modernization legislation that comes out of conference protects patient privacy. With that in mind, I urge a yes vote on this motion to instruct.

The list of organizations opposed to the medical records provisions in H.R. 10 is as follows:

ORGANIZATIONS OPPOSED TO THE MEDICAL RECORDS PROVISIONS IN H.R. 10

PHYSICIAN ORGANIZATIONS

American Medical Association
American Psychiatric Association
American College of Surgeons
American College of Physicians/
American Society of Internal Medicine
American Academy of Family Physicians

American Psychological Association

NURSES ORGANIZATIONS

American Nurses Association
American Association of Occupational Health Nurses

PATIENT ORGANIZATIONS

National Breast Cancer Coalition
Consortium for Citizens with Disabilities Privacy Working Group

National Association of People with AIDS

AIDS Action

National Organization for Rare Disorders

National Mental Health Association

Myositis Association

Infectious Disease Society

PRIVACY/CIVIL RIGHTS ORGANIZATIONS

Consumer Coalition for Health Privacy

American Civil Liberties Union

Center for Democracy and Technology

Bazelon Center for Mental Health Law

LABOR ORGANIZATIONS

AFL-CIO

American Federation of State, County and Municipal Employees

Service Employees International Union

SENIOR AND FAMILY ORGANIZATIONS

American Association of Retired Persons

National Senior Citizens Law Center

Planned Parenthood Federation of America, Inc.

National Partnership for Women and Families

American Family Foundation

OTHER ORGANIZATIONS

American Academy of Child and Adolescent Psychiatry

American Association for Psycho-social Rehabilitation

American College of Occupational and Environmental Medicine

American Counseling Association

American Lung Association

American Occupational Therapy Association

American Osteopathic Association

American Psychoanalytic Association

American Society of Cataract and Refractive Surgery

American Society of Clinical Psychopharmacology

American Society for Gastrointestinal Endoscopy

American Society of Plastic and Reconstructive Surgeons

American Thoracic Society

Anxiety Disorders Association of America

Association for the Advancement of Psychology

Association for Ambulatory Behavioral Health

Center for Women Policy Studies

Children & Adults with Attention-Deficit/Hyperactivity Disorder

Corporation for the Advancement of Psychiatry

Federation of Behavioral, Psychological and Cognitive Sciences

International Association of Psycho-social Rehabilitation Services

Legal Action Center

National Association of Alcoholism and Drug Abuse Counselors

National Association of Developmental Disabilities Councils

National Association of Psychiatric Treatment Centers for Children

National Association of Social Workers

National Council for Community Behavioral Healthcare

National Depressive and Manic Depressive Association

National Foundation for Depressive Illness

Renal Physicians Association

Mr. GANSKE. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, I thank my friend for yielding time to me.

Mr. Speaker, I am standing here because I think there has been a gross mischaracterization of the medical privacy provisions in this bill. When we had the debate on H.R. 10, legislation which I am very pleased got 343 votes when it was reported out of this House, criticisms that came from many on the other side, and frankly, from many in the media who took advantage of that mischaracterization, I think, make it necessary that we address it.

H.R. 10 and the provisions that were included here in fact will not, as we pointed out in the debate at that time, preempt State privacy laws. It does not in any way allow insurance companies to sell medical information to drug companies. It does not, as we found already in this debate, block the Secretary of Health and Human Services from issuing privacy regulations as required by current law.

I want to commend my friend, the gentleman from Iowa (Mr. GANSKE), who has spent a long time working on this, and at the same time, my colleague, the gentleman from California (Mr. THOMAS), the chairman of the subcommittee, does make a very valid point in his call to make sure that we continue to have that pressure point recognized there.

I think that the only real, legitimate debate here is whether the medical privacy issue is better addressed in H.R. 10 or in some other fashion. So I think we are going to see what obviously is going to be an interesting challenge here.

I think it is important for us to clarify exactly what the gentleman from Iowa (Mr. GANSKE) was trying to do. Clearly we want to make sure that privacy is recognized and is in no way jeopardized.

The SPEAKER pro tempore. Without objection, the time previously claimed by the gentleman from Minnesota (Mr. VENTO) will be reclaimed by the gentleman from New York (Mr. LAFALCE). There was no objection.

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. WATT).

Mr. WATT of North Carolina. Mr. Speaker, most of the debate up to this point has been focused on the issue of privacy. That is, in fact, an important issue as we move forward to modernize financial services. We have to assure the protection of the privacy of consumers' financial and medical records.

I want to direct my colleagues' attention to paragraph 2 of the motion to instruct and rise in support of the motion to instruct conferees, because that paragraph gets to the heart of what financial modernization is about.

We are instructing the conferees to ensure that we come back with a bill that ensures consumers enjoy the benefits of comprehensive financial modernization legislation, that provides robust competition, and equal and non-discriminatory access to financial services and economic opportunities in their communities.

As we move forward in this process, we are modernizing financial services, but we have to keep in mind that this is for the benefit of consumers and communities. Let us support the motion to instruct for that reason.

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentleman from Connecticut (Mr. MALONEY).

Mr. MALONEY of Connecticut. Mr. Speaker, I thank the gentleman for yielding time to me.

Mr. Speaker, I rise to commend the gentleman from New York (Mr. LAFALCE) for his leadership on this issue, and to urge support of his motion to instruct conferees on H.R. 10.

Today's motion to instruct contains three important elements. It would ensure the strongest consumer privacy possible, it would provide equal and nondiscriminatory access to financial services, and it would protect medical privacy.

Unfortunately, the House hastily included medical privacy provisions in H.R. 10 that may actually be harmful to consumers because they do not rise to the level of basic protections afforded under any of the major medical confidentiality bills now being considered by Congress. That unintended result may in fact deter many patients from seeking necessary health care out of fear of disclosure.

The motion instructs the conferences to restore the confidence of the American public in the privacy of their sensitive health care information by removing medical-related provisions currently contained in H.R. 10.

Mr. Speaker, we have an historic opportunity to pass a balanced bill. I urge passage of the motion to instruct.

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, today we send our Members of the House to work with the members of the Senate to work out a compromise on the Financial Services Act of 1999. While we know, understand, and recognize that banks and other financial companies must be able to compete in an environment that will allow them to expand their powers and become competitive globally, and that our financial institutions are one of the most critical components to ensuring a healthy U.S. economy, our first and foremost responsibility is to those individuals who send us here to Washington each and every election day.

Therefore, we must ensure that consumers as well as financial institutions benefit from banking reform. It is meant to protect them from the misuse of their confidential personal information, this amendment, for marketing or other purposes, maintaining their medical privacy, and to make certain that our financial institutions that receive the benefit of government support continue to contribute to the economic health of low- and moderate-income communities.

Let me say, we must support CRA. It is an absolute necessity if we are to have a successful bill.

Mr. Speaker, today we send our members of the House to work with the members of the Senate to work out a compromise on the Financial Services Act of 1999. The purpose of this act is to provide banks and other financial companies with an environment that will allow them to expand their powers and become more competitive globally. Our financial institutions are one of the most critical components to ensuring a healthy U.S. economy. They are so critical that this Nation develop an independent body known as the Federal Reserve to regulate these institutions. Thus it is vital that this House and the Senate work diligently, and efficiently to develop a final version of the Financial Services Act that will make certain American institutions have a fair opportunity to be the most competitive in the world. However, each of the conferees must remember that their primary goal as members of this House is to protect the interest of the individual citizens of this nation who send us to Congress and who own this nation.

Therefore, we must insure that consumers as well as financial institutions benefit from banking reform. It is meant to protect them from the misuse of their confidential personal information for marketing or other purposes, maintain their medical privacy, and make certain that our financial institutions that receive the benefit of government support continue to contribute to the economic health of low- and moderate-income communities.

Let me take a moment to emphasize the importance of the Community Reinvestment Act or CRA. There are some in the Senate who believe that CRA is a burden to banks. Let me assure those individuals that they are mistaken. The facts are clear, the overwhelming majority of evidence states that CRA has been a major success. It has been a benefit to low and moderate income individuals, their communities, and most of all to banks. Since 1977, banks and thrifts have made over \$1.057 trillion in loan pledges to low-income areas. CRA investments have been widely credited with dramatically increasing home ownership, restoring distressed communities, helping small businesses and meeting the unique credit needs of rural communities. Financial institutions such as Citigroup, BankAmerica, Southwest Bank of Texas, Iron and Glass Bank, and a host of others have all made it clear that CRA is good policy and good for business.

I urge my colleagues to vote in favor of banking legislation that is good for banks and good for consumers. Vote for the motion to instruct.

Mr. GANSKE. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. LINDER).

Mr. LINDER. Mr. Speaker, this is getting curiously and curiously. In the Committee on Banking and Financial Services, when this bill was going through it was the Democrats, the gentleman from Washington (Mr. INSLEE) who demanded privacy language, very strict privacy language.

It was the gentleman from Minnesota (Mr. VENTO) who, with the gentleman from Iowa (Mr. LEACH) late at night worked out a compromise on the privacy language, the first consumer protection language in the banking bill.

It got to the Committee on Commerce and the gentleman from Massachusetts (Mr. MARKEY) passed on a voice vote strong consumer privacy language, but even he was shocked it passed, and made it a huge point on the floor of the House that his language was not being adhered to. It had to be stronger.

Now they come out today and say, we do not want anything; accede to the Senate's nothingness, no consumer protection at all. Or is it maybe that they would rather have the administration write the language? They are acceding to a bill that is absent the language. They cannot have it both ways.

□ 1330

This banking legislation, as it left this House, had some of the best privacy language of any banking legislation, and now my colleagues want to walk away from it, and they ought to be ashamed.

The SPEAKER pro tempore (Mr. PEASE). The Chair advises Members that the proponent of the motion is entitled to close debate. The Chair anticipates that Members controlling time will close in the reverse order of the manner in which time was allocated; to wit: the gentleman from Iowa (Mr. GANSKE), the gentleman from Michigan (Mr. DINGELL), the gentleman from Iowa (Mr. LEACH), and the gentleman from New York (Mr. LAFALCE).

The gentleman from New York (Mr. LAFALCE), however, still has time remaining.

Mr. LAFALCE. Mr. Speaker, I yield myself 30 seconds.

Mr. Speaker, I want to point out the tremendous error of the last statement made by the gentleman from Georgia (Mr. LINDER). What we are doing is insisting upon each and every one of the privacy provisions that we were able to produce within this bill with the exception of the medical privacy provisions, because virtually every medical organization in the United States thinks that they will water down privacy protections that presently exist under Federal or State law. The gentleman from Georgia just totally, totally misunderstands that issue.

Mr. Speaker, I yield 1 minute to the gentleman from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise to support the LaFalce motion to instruct the conferees on H.R. 10. It is important to support and protect the House

version of the Community Reinvestment Act sections of H.R. 10.

Although the House version, for me, is weak on ensuring that these provisions are extended to other financial institutions now with this enormous extension of the powers of banking, at least the House version ensures that the Community Reinvestment Act conditions apply to banking. The Senate version does not.

We must remember the CRA was passed as a creative response to blatant ethnic gender and neighborhood discrimination in the lending of money for housing. A red line would be drawn around a neighborhood that a bank or an insurance company perceived to have a majority of people with risky credit. The bank or the insurance company would then not lend to anyone within those red lines. Unfortunately, this discriminatory behavior exists today.

The Community Reinvestment Act, however, encourages banks that do business in communities to reinvest in those communities. It is a positive way to encourage banks to do the correct thing, to not discriminate.

I urge an "aye" vote on the LaFalce motion to instruct.

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

(Mrs. JONES of Ohio asked and was given permission to revise and extend her remarks.)

Mrs. JONES of Ohio. Mr. Speaker, I am pleased to join with the ranking member of the Committee on Banking and Financial Services in support of the motion to instruct the conferees.

We need strong consumer protection for the final bill, H.R. 10. We need strong community reinvestment provisions in the final bill, because if the communities are like the City of Cleveland, CRA has had a significant impact in providing affordable housing for those people who have not had the opportunity previously.

We need a bill that fairly and equitably represents, not only the financial institutions, but the consumers involved as well.

Finally, we need the House version of this bill, because it is the best bill for all the citizens of America.

I urge the conferees to pay attention to the House bill in the time that they have to come back to the floor with a bill.

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

(Ms. SCHAKOWSKY asked and was given permission to revise and extend her remarks.)

Ms. SCHAKOWSKY. Mr. Speaker, as a consumer advocate, I have been asking from day one what is in this financial modernization act that I can bring home for ordinary consumers in my district, the soccer moms, schoolteachers, small businesses.

Face it, they are not worrying about the ability of banks, insurance compa-

nies, and security companies to merge. But I warn my colleagues, they will be interested if we let those companies poke around in their most private medical and financial records.

Do not underestimate the American appetite for privacy. They will be interested if hopes for their small businesses and mortgages and investments to improve their neighborhoods dry up, which is what the Senate bill will do because it dangerously undermines the Community Reinvestment Act.

This motion to instruct addresses both the issues of privacy and CRA, possibly the only two provisions most of our constituents care about.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Washington (Mr. INSLEE).

Mr. INSLEE. Mr. Speaker, I stand in strong support of this motion, and I do it because I have been listening to my constituents a lot lately about financial privacy in banking.

What they have been asking me to do is simple. They have been asking me to try to win for them the right to tell their banks not to give their bank account numbers and their identities to telemarketers so that they can be called at night.

They have been asking me simply to win for them the right to tell their banks not to give their credit card numbers to telemarketers so that they can be called at night.

Those constituents deserve that right. What possible reason is there to be not to accept this motion to give consumers the simple right to financial privacy that we supported 427 votes to 1? Well, the reason is that there are certain folks who want to defend their privacy.

I want to tell my colleagues about something I learned in hearings in the last 2 weeks. I asked five lobbyists of the banking industry a simple question. Let us say Emma Smith writes her bank and says, Mr. or Mrs. Banker, do not share my financial information with anyone.

Two days later, Mrs. Smith inherits \$10,000. Should the bank be able to call a telemarketer and tell them to call Emma Smith and try to sell her a hot stock in hotstock.com? Should they be able to ignore her request not to violate her privacy? Do my colleagues know what those five lobbyists said for the banking industry? To a person, they said no, that would be wrong.

Those five lobbyists for the banking industry were right. Consumers ought to have the right to protect their privacy. Those five lobbyists were right. Four hundred twenty-seven Members of this House were right when they stood up for consumer privacy. Americans ought to be right, too, in insisting that we pass this motion.

Mr. GANSKE. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I think the debate on the floor on this issue demonstrates what a Gordian knot the whole issue of medical privacy is.

The provisions that were in this bill on health care privacy are good ones. I think that if my colleagues look at the "Dear Colleague" that I have sent out, it explains it. It is not a comprehensive piece of medical privacy, but I thought it would improve the bill. The intentions were good for that.

However, a very large number of privacy groups have argued against this provision. I think it has been mischaracterized. It will be a serious impediment in terms of our getting the overall bill passed.

If, in fact, my colleague from California and others on the other side of the aisle can come up with a bipartisan agreement, then I am sure that it can be reintroduced at some time.

I am for a comprehensive bill. I will vote for the motion to instruct.

Mr. Speaker, I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, I would begin by expressing great respect and affection for everybody who has participated in this debate, especially the gentleman from Iowa (Mr. GANSKE) who is an outstanding Member of this body in all particulars.

I do think it is important we understand what is at stake here. I will address only the question of protection of medical privacy.

Here is what the administration says. The administration strongly opposes the medical privacy provisions of the bill. Unfortunately, those provisions would preempt important existing protections and do not reflect extensive legislative work that has already been done on this complex issue.

The administration thus urges striking the medical privacy provisions and will pursue medical privacy in other fora.

Now listen to what some of the unanimous voices of all professional organizations in the field of medicine have had to say. First, the American Medical Association, I quote, "Medical records provision of H.R. 10 undermine patient privacy. The bill would allow the use and disclosure of medical records information without consent of the patient in extraordinarily broad circumstances. Unfortunately, the medical records confidentiality provisions of H.R. 10 will deter many patients from seeking needed health care and deter patients from making full and frank disclosure of critical information needed in their treatment."

The American Nurses Association said this, "The proposed language would facilitate the broad sharing of sensitive health and medical information without the consent of the consumer."

Here is what the American Civil Liberties Union said, "This proposal will preempt existing medical privacy protections and offers essentially no privacy rights to replace the ones which the amendment, if enacted, will usurp. It is deeply flawed."

AFL-CIO: "This provision would facilitate the broad sharing of sensitive medical information in a matter that is harmful to health care consumers."

That tells my colleagues what is said about this. I would urge the adoption of the motion.

Mr. THOMAS. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, I thank the gentleman for yielding. The consequences that the gentleman described, in fact, may take place if given this language as a sunset does not produce congressional legislation; is that correct?

Mr. DINGELL. Mr. Speaker, no, that is not correct.

Mr. THOMAS. Mr. Speaker, it is not a trigger that says it will sunset?

Mr. DINGELL. Mr. Speaker, what is correct, I would observe to the gentleman from California, is that, if this language is in here, the fears that I have expressed and the fears that are expressed by the professional health care organizations and individuals would occur.

Mr. THOMAS. But if we passed legislation, that language goes away, Mr. Speaker.

Mr. DINGELL. The way to address the matter is to take out unfortunate language and put in good language in a separate medical records privacy bill. At least, if we do not allow this language to remain in the legislation when it finally does go to the President, if that occurs, it would then assure that we would keep in place existing protections of patient privacy which are superior.

Mr. THOMAS. Mr. Speaker, if we pass better legislation, we will improve privacy.

Mr. LEACH. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, there are three aspects of this motion to instruct. As chair of the committee, I strongly support the first two. On the third, I remain somewhat bewildered.

What the third instruction suggests is that the committee should advance strong medical privacy provisions. Then it goes on to say that we should delete the title related to medical privacy and recede to the Senate which has no title on medical privacy. It is a conundrum, a logical inconsistency.

I would say to the gentleman in furtherance of certain earlier comments that only about 18 States have prohibitions on the sharing of information. This bill is not designed to supplant, replace, or weaken any State provision or deny future State provisions. It may not be quite as strong as the gentleman would prefer, but it is the first serious prohibition on an insurance company giving medical privacy information without patient consent to an affiliate or third party.

As chairman of the Committee on Banking and Financial Services and as a conferee, I am willing to accede to

this motion under the understanding that it is a conflicted motion. There is a call for medical privacy and then a call for a deletion.

So what I think the gentleman and what this instruction is saying is that there should be a medical privacy provision in this bill. That being the case, I cannot object to this particular instruction as a conferee.

So I would urge my colleagues to recognize that the first two provisions are a call to support the House provision. The third provision is a call to maintain medical privacy, although in a way that is perhaps illogically stated.

So my recommendation is to vote "yes" on a deeply flawed, deeply ironic motion to instruct.

□ 1345

Mr. LEACH. Mr. Speaker, I yield back the balance of my time.

Mr. DINGELL. Mr. Speaker, I yield the balance of my time to the gentleman from New York (Mr. LAFALCE).

Mr. LAFALCE. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Speaker, I would observe something in response. There is a conflict here on the part of some of my colleagues, including my distinguished friend, the gentleman from Iowa (Mr. LEACH). This medical privacy provision has no more assurance of protection of the ordinary citizen or patient than does a lace doily of stopping a flood. The simple fact of the matter is existing law is better than the provision that we are talking about.

And I would observe something else. Very shortly the provisions of HIPAA will kick in and the secretary will come forward with decent regulations which will protect the people.

I am not going to enact a fraud, sham or delusion of the magnitude that we have before us with regard to medical health care protection and protection of medical information when I know full well that existing law is better and that further improvements will be coming along when the secretary issues her regulation.

Mr. LAFALCE. Mr. Speaker, I yield myself such time as I may consume, and in closing I will be extremely brief.

I am absolutely delighted that the gentleman from Iowa (Mr. GANSKE) and the gentleman from Iowa (Mr. LEACH) are going to be joining in urging approval of this motion to instruct. I know they do it with full enthusiasm with respect to the first two provisions but with some concern with respect to the third.

The gentleman from Iowa (Mr. LEACH) has said the third presents somewhat of a conundrum. Let me articulate again what we are attempting to do. We are attempting to insist upon the strongest possible privacy protections for every American consumer, the strongest possible community reinvestment protections for every American consumer.

With respect to title III, there sometimes can be a difference between the

principal purpose and the primary effect of proposed legislation. I do not think there is any difference whatsoever between the principal purpose of the gentleman from Iowa (Mr. LEACH), the gentleman from Iowa (Mr. GANSKE), the gentleman from Michigan (Mr. DINGELL) and myself at all. There is a difference of opinion as to what the primary effect of that language would be.

The conferees will work to make sure that there is a complete marriage between principal purpose and primary effect.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PEASE). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. LAFALCE).

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. DINGELL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 241, nays 132, not voting 61, as follows:

[Roll No. 355]

YEAS—241

Abercrombie	Davis (FL)	Hilleary
Ackerman	Davis (IL)	Hilliard
Allen	Davis (VA)	Hinchee
Andrews	DeGette	Hinojosa
Baird	Delahunt	Hoefel
Baldacci	DeLauro	Holden
Baldwin	Deutsch	Holt
Barcia	Dickey	Hooley
Barrett (WI)	Dingell	Horn
Barton	Dixon	Houghton
Becerra	Doggett	Hoyer
Bentsen	Dooley	Hulshof
Bereuter	Doyle	Inslee
Berkley	Duncan	Jackson (IL)
Berry	Edwards	Jackson-Lee
Biggert	Emerson	(TX)
Bilbray	Engel	Johnson, E. B.
Bishop	Eshoo	Jones (NC)
Blagojevich	Etheridge	Jones (OH)
Blumenauer	Evans	Kanjorski
Boehlert	Farr	Kaptur
Borski	Fattah	Kelly
Boswell	Filner	Kennedy
Boyd	Fletcher	Kildee
Brady (PA)	Forbes	Killpatrick
Brown (FL)	Ford	Kind (WI)
Brown (OH)	Franks (NJ)	Kingston
Campbell	Frelinghuysen	Klecza
Capps	Frost	Klink
Capuano	Ganske	Kucinich
Cardin	Gejdenson	LaFalce
Castle	Gephardt	Lampson
Clayton	Gibbons	Lantos
Clement	Gilchrest	Largent
Clyburn	Gilman	Larson
Condit	Gonzalez	Latham
Conyers	Gordon	LaTourette
Cook	Graham	Lazio
Cooksey	Green (TX)	Leach
Cramer	Green (WI)	Lee
Crowley	Hall (OH)	Levin
Cubin	Hill (IN)	Lewis (GA)
Cummings	Hill (MT)	Lipinski

Lofgren
Lowey
Lucas (KY)
Maloney (CT)
Maloney (NY)
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McGovern
McInnis
McIntyre
McKinney
McNulty
Meek (FL)
Meeks (NY)
Menendez
Millender-
McDonald
Minge
Mink
Moakley
Mollohan
Moore
Moran (VA)
Morella
Murtha
Nadler
Napolitano
Neal
Northup
Oberstar
Obey
Olver
Ose

NAYS—132

Aderholt
Archer
Armey
Bachus
Barr
Barrett (NE)
Bartlett
Bass
Bateman
Bliley
Blunt
Bonilla
Bono
Brady (TX)
Bryant
Burton
Callahan
Calvert
Canady
Cannon
Chambliss
Chenoweth
Coble
Coburn
Collins
Combest
Crane
Cunningham
DeLay
DeMint
Doolittle
Dreier
Dunn
Ehlers
Ehrlich
English
Everett
Ewing
Foley
Fossella
Gekas
Gillmor
Goodlatte
Goodling

NOT VOTING—61

Baker
Ballenger
Berman
Bilirakis
Boehner
Bonior
Boucher
Burr
Buyer
Camp
Carson
Chabot
Clay

Costello
Cox
Coyne
Danner
Deal
DeFazio
Diaz-Balart
Dicks
Fowler
Frank (MA)
Gallegly
Goode
Gutierrez

Spratt
Stabenow
Stark
Stearns
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Terry
Thompson (CA)
Thompson (MS)
Thurman
Tierney
Towns
Traficant
Turner
Udall (CO)
Udall (NM)
Upton
Velazquez
Vento
Visclosky
Walsh
Waters
Watt (NC)
Watts (OK)
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
Wolf
Woolsey
Wynn

Pickering
Pitts
Pombo
Portman
Pryce (OH)
Radanovich
Ramstad
Reynolds
Riley
Rogers
Rohrabacher
Ryun (KS)
Sanford
Saxton
Schaffer
Sensenbrenner
Sessions
Shadegg
Shays
Sherwood
Shimkus
Shuster
Simpson
Skeen
Smith (TX)
Spence
Stump
Sununu
Sweeney
Talent
Tancredo
Taylor (NC)
Thomas
Thornberry
Thune
Toomey
Vitter
Walden
Wamp
Whitfield
Wicker
Wilson
Young (AK)
Young (FL)

Miller, Gary
Miller, George
Ortiz
Oxley
Peterson (PA)
Pickett
Pomeroy
Quinn

□ 1412

Mr. RAMSTAD, Mr. WHITFIELD and Mrs. WILSON changed their vote from "yea" to "nay."

Messrs. SHOWS, ROGAN, WELLER, KINGSTON, COOK, MCCOLLUM, Mrs. CUBIN, and Mrs. EMERSON changed their vote from "nay" to "yea."

So the motion was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. ROEMER. Mr. Speaker, due to a family commitment I was unable to cast House roll-call vote 355 on July 30th, 1999, to instruct conferees on the Financial Services Modernization bill, H.R. 10. If I had been present I would have voted "yea."

The SPEAKER pro tempore (Mr. PEASE). Without objection, the Chair appoints the following conferees:

From the Committee on Banking and Financial Services, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

Mr. LEACH, Mr. MCCOLLUM, Mrs. ROUKEMA, and Messrs. BEREUTER, BAKER, LAZIO, BACHUS, CASTLE, LAFALCE, and VENTO.

As additional conferees from the Committee on Banking and Financial Services, for consideration of titles I, III (except section 304), IV and VII of the Senate bill, and title I of the House amendment, and modifications committed to conference:

Mr. FRANK of Massachusetts, Mr. KANJORSKI, Ms. WATERS, and Mrs. MALONEY of New York.

As additional conferees from the Committee on Banking and Financial Service, for consideration of title V of the Senate bill, and title II of the House amendment, and modifications committed to conference:

Mr. KANJORSKI, Mrs. MALONEY of New York, Mr. WATT of North Carolina and Mr. MALONEY of Connecticut.

As additional conferees from the Committee on Banking and Financial Services, for consideration of title II of the Senate bill, and title III of the House amendment, and modifications committed to conference:

Mr. KANJORSKI, Mrs. MALONEY of New York, Ms. VELAZQUEZ, and Ms. HOOLEY of Oregon.

As additional conferees from the Committee on Banking and Financial Services, for consideration of title VI of the Senate bill, and title IV of the House amendment, and modifications committed to conference:

Ms. WATERS, Mrs. MALONEY of New York, Mr. GUTIERREZ and Mr. BENTSEN.

As additional conferees from the Committee on Banking and Financial Services, for consideration of section

Souder
Tausin
Tiahrt
Watkins
Wise
Wu

□ 1415

304 of the Senate bill, and title V of the House amendment, and modifications committed to conference:

Mr. FRANK of Massachusetts, Mr. KANJORSKI, Ms. WATERS, and Mr. ACKERMAN.

From the Committee on Commerce, for consideration of the Senate bill, and the House amendment, and modifications committed to conference:

Messrs. BLILEY, OXLEY, TAUZIN, GILLMOR, GREENWOOD, COX, LARGENT, BILBRAY, DINGELL, TOWNS, MARKEY, WAXMAN, Ms. DEGETTE and Mrs. CAPPS.

Provided, that Mr. RUSH is appointed in lieu of Mrs. CAPPS for consideration of section 316 of the Senate bill.

From the Committee on Agriculture, for consideration of title V of the House amendment, and modifications committed to conference:

Messrs. COMBEST, EWING, and STENHOLM.

From the Committee on the Judiciary, for consideration of sections 104(a), 104(d)(3), and 104(f)(2) of the Senate bill, and sections 104(a)(3), 104(b)(3)(A), 104(b)(4)(B), 136(b), 136(d)-(e), 141-44, 197, 301, and 306 of the House amendment, and modifications committed to conference:

Messrs. HYDE, GEKAS, and CONYERS.

There was no objection.

PERSONAL EXPLANATION

Mr. ORTIZ. Mr. Speaker, on rollcall Nos. 354 and 355, on July 30, 1999, I was unavoidably detained. Had I been present, I would have voted "yea" on rollcall No. 354 and "yea" on rollcall No. 355.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Sherman Williams, one of his secretaries.

LEGISLATIVE PROGRAM

(Mr. FROST asked and was given permission to address the House for 1 minute.)

Mr. FROST. Mr. Speaker, I yield to the gentleman from Texas to inquire about next week's schedule.

Mr. ARMEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I am pleased to announce that we have completed legislative business for the week.

The House will next meet on Monday, August 2, at 12:30 p.m. for morning hour and at 2 p.m. for legislative business. We will consider a number of bills under suspension of the rules, a list of which will be distributed to Members' offices this afternoon.

Mr. Speaker, subject to last night's unanimous consent agreement, we will also complete consideration of H.R. 2606, the Foreign Operations Appropriations Act, on Monday. Debate on Foreign Operations amendments will not begin before 4 p.m.

Members should note that there will be recorded votes after 6 p.m. on Monday, August 2.

On Tuesday, August 3, and the balance of next week, the House will take up the following measures:

H.R. 2031, The 21st Amendment Enforcement Act;

H.R. 987, The Workplace Preservation Act;

H.J. Res. 58, Regarding the Jackson-Vanik Waiver for Vietnam;

The VA-HUD Appropriations Act; and

The Commerce, State, and Justice Appropriations Act.

Mr. Speaker, we also expect a number of conference reports to be available next week for consideration in the House.

Mr. Speaker, because this will be our last week of legislative business before the Summer District Work Period, Members should expect late nights throughout the week. That includes, Mr. Speaker, Friday, August 6, which may stretch beyond 2 p.m. and into the evening.

Mr. Speaker, I thank the Members for their attention and I wish all my colleagues safe travel back to their districts.

Mr. FROST. Mr. Speaker, I have several questions for the majority leader at this point. Will we complete action on the Juvenile Justice bill next week?

Mr. ARMEY. I thank the gentleman for his inquiry. We just went to conference, Mr. Speaker, on Juvenile Justice this morning. We are obviously encouraging the conferees, we are anxious to have that, and the floor schedule will accommodate the conference report if they can bring it back. We will encourage them. I am sure the gentleman from Texas and his leadership will do the same on their side of the aisle.

Mr. FROST. I would further ask my friend from Texas, I do not see the Patients' Bill of Rights on the schedule. Is there any possibility that that will come up next week or when can we expect it to be brought to the floor?

Mr. ARMEY. If the gentleman will yield further, Mr. Speaker, we have three committees of jurisdiction that are working on the Patient Protection Act. That work is in progress. It is, of course, very important work. As soon as our committees complete their work and are able to make the bill available to the floor, we will have it on the floor, but I do not anticipate that next week.

Mr. FROST. I would further ask the gentleman from Texas, does he expect the tax conference report to be on the floor next week?

Mr. ARMEY. I thank the gentleman for asking that.

If the gentleman will continue to yield, Mr. Speaker, yes, we do in fact expect that we will go to conference on the tax bill sometime Monday, and we anticipate having that conference report back before we complete business next week.

Mr. FROST. The only other question I would have to the gentleman from Texas is he has indicated that we will be working late, probably each night. Does the gentleman have any idea how late that will be?

Mr. ARMEY. As the gentleman from Texas knows, when we do appropriations bills, we do those under the 5-minute rule. We try to make unanimous consent requests as we did last night to expedite the consideration of a bill in consideration of all the Members with their amendments. We will still work under that 5-minute rule, hope to have those kinds of accommodations between Members, but one must anticipate that late in the evening will mean precisely that in perhaps the most rigorous terms.

Mr. FROST. As the gentleman knows, in some cities where they play baseball at night, there is a rule that no inning can begin after a certain hour. I was just wondering if there is any possibility we could go to that in our night sessions.

Mr. ARMEY. The gentleman makes a fine point. I can only assure him that at or around dinner time, we will provide a seventh inning stretch that will be sufficient to nourish our bodies so we can continue on into the evening.

Mr. FROST. Mr. Speaker, if I could ask the gentleman one final question. Is there any possibility that we will be here next Saturday? The gentleman indicated the real possibility that we will be here after 2 p.m. on Friday. Could it also be that we would be here next Saturday?

Mr. ARMEY. I thank the gentleman for that question. I think that is really a key concern. We are all anxious to get on with our work in our districts for the District Work Period.

I think this is the best, most reliable answer: A prudent, experienced Member understands that the getaway day before a District Work Period of this length is tenuous. We should expect to work late in the evening, but if that prudent Member were to make their plane reservations for Saturday morning, I am confident that they could make those planes. But I do think late in the evening on Friday night could go beyond that point at which people could reasonably expect a Friday night plane. I think it would be just prudent for all of us to plan our travel for Saturday.

Mr. FROST. I would respond to my friend from Texas, that based on my 21 years of experience in the House of Representatives, I never book a flight on the day that we are scheduled to leave. I always book my flight for the following day.

Mr. ARMEY. I thank the gentleman. Mr. Speaker, if the gentleman would yield for one final point on that point.

The point is very important to the Members and if I may make this point. We will monitor the process of the week's schedule as closely as we can as we see the work developing, and we will try to maintain a constant posture

where when we know things with greater degrees of certainty about that Friday and those travel arrangements, we will announce that to the House.

Mr. FROST. I thank the gentleman.

WAIVING SECTION 132 OF LEGISLATIVE REORGANIZATION ACT OF 1946

Mr. DREIER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 266 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 266

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House a concurrent resolution waiving the requirements in section 132 of the Legislative Reorganization Act of 1946 that the Congress adjourn sine die not later than July 31, 1999. The concurrent resolution shall be considered as read for amendment and shall not be subject to debate. The previous question shall be considered as ordered on the concurrent resolution to final adoption without intervening motion.

The SPEAKER pro tempore (Mr. PEASE). The gentleman from California (Mr. DREIER) is recognized for 1 hour.

Mr. DREIER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to my very good friend, the gentleman from Dallas, TX (Mr. FROST), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

(Mr. DREIER asked and was given permission to revise and extend his remarks and include extraneous material.)

Mr. DREIER. Mr. Speaker, this rule simply makes in order a concurrent resolution waiving the requirement in section 132 of the Legislative Reorganization Act of 1946 that Congress adjourn sine die no later than July 31.

As my friend from Dallas knows, this requirement that Congress adjourn by the end of July is a relic of a bygone era, although many of us wish we actually could adjourn by July 31. The last time that the Congress did it was July 31, 1956.

In fact, a decade ago, my friend from Boston, the distinguished ranking minority member of the Committee on Rules, tried desperately to repeal section 132, going so far as to get legislation passed in the House, only to have it not considered by our friends in the other body. I hope we can actually resurrect that effort in a bipartisan way and I hope that we can move ahead with this rule in a very timely manner.

I urge its adoption.

Mr. Speaker, I reserve the balance of my time.

Mr. FROST. Mr. Speaker, I thank the gentleman from California for yielding me the customary half-hour, and I yield myself such time as I may consume.

Mr. Speaker, I support this rule and the resolution allowing the House to

continue to work beyond the statutory deadline of July 31.

We have a lot more work to do and the American people want us to get it done.

The American people want us to pass a Patients' Bill of Rights to ensure no one is denied medical services regardless of the bottom line.

The American people want us to pass campaign finance reform to take our political system back from the powerful special interests and give it to the American citizens.

The American people want us to protect Social Security and Medicare before they collapse beginning in the year 2015.

The American people want us to finish the Juvenile Justice bill in order to get the funding in place now to protect our schools before classes start up in the fall.

Although we only have another week before Congress goes into recess, I hope my Republican colleagues will consider taking up these important issues before any others.

I urge my colleagues to support this rule.

Mr. Speaker, I yield back the balance of my time.

Mr. DREIER. Mr. Speaker, I yield myself such time as I may consume.

Following last November's election, many people predicted that our colleagues on the other side of the aisle, especially here in the House, would focus their energies on partisan attacks rather than legislative accomplishments.

Rather than engage in partisan battles, we on this side have focused on a straightforward plan of what we call governing conservatism. It is designed to address the critical national issues such as saving Social Security and Medicare, restoring our national defense, improving public education for our children and providing tax relief to the hardworking Americans who have created a \$3 trillion surplus.

I am very proud to report that we have in the past 6 months made real progress on each of these important fronts, often with very strong support from our friends on the other side of the aisle.

The House has passed, as we all know, Social Security lockbox to make sure that every dollar in payroll taxes is set aside to save Social Security and Medicare. The President recently came on board with his announcement of support of the concept that we have been pushing for quite a while.

We passed the National Missile Defense Act, an emergency defense spending bill and legislation to address the lax security at our Nation's nuclear labs, all three of them moving forward on national security and military readiness priority agendas. I am happy to say that the President has been largely supportive of all three of those measures.

We have passed the Education Flexibility Act to allow the States to be cre-

ative and use Federal education assistance to craft effective local solutions to education needs, and I am very happy that the President signed that into law.

Now we are moving forward to provide meaningful tax relief to American families, that question that was raised by my friend from Dallas just a few minutes ago.

Just like our Social Security lockbox, ballistic missile defense and education flexibility, we are going to continue to do our doggonedest to work with the President to make sure that we can provide legislation that proceeds with our legislative goals and at the same time gains his signature.

Mr. Speaker, while this majority prefers bipartisan accomplishments, we are equally prepared to deal with partisan attack and obstructionism if that does in fact take place.

Unfortunately, the minority leader recently made it completely clear that stopping the Congress from getting things done in order to win back the five seats that people have talked about in next year's election is the number one, top priority for our friends. The thing that is troubling is that the idea of writing off the next 15 months in the name of partisanship is both disappointing and surprising. We are going to stick with the people's business, getting things done for the country.

In just the past few weeks, we are proud of the historic bipartisan Y2K litigation reform that I and a few of my colleagues had introduced back on February 23, have been working on for over a year. We e-mailed that bill down to 1600 Pennsylvania Avenue and the President signed it into law.

As we all know, the House, with a very bipartisan majority, passed the Africa trade bill; and just this week, something I have spent many years working on, year after year, and I hope someday we will be able to end the annual battle on maintaining something that the President wanted and we provided even more Republicans for it this year, and, that is, maintaining normal trade relations with the People's Republic of China.

□ 1430

We are also on track to meet the pledge of the gentleman from Illinois (Mr. HASTERT), very close to it at least, by getting 12 of 13 appropriation bills done before we adjourn next Friday. Most of those appropriation bills have passed that we have gotten through so far with again strong bipartisan majorities.

So, Mr. Speaker, let me just say that this majority is moving the ball forward on key priorities of the American people. We are very proud of the things that we have been able to do by gaining bipartisan support for what have been our legislative initiatives. Again, whenever we possibly can, we are going to continue to seek support from our colleagues on the other side of the

aisle. But remember, if they do, in fact, subscribe to what was outlined by the minority leader in that Washington Post article last week; and they want to obstruct our efforts here, we are willing to fight hard to make sure that we get the people's work done, and with that I will, as we continue with what I hope will only be 1 week beyond the stated goal, at least until we adjourn in August, I will urge support of this rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. DREIER. Mr. Speaker, pursuant to House Resolution 266, I call up the concurrent resolution (H. Con. Res. 168) waiving the requirement of section 132 of the Legislative Reorganization Act of 1946 that the Congress adjourn sine die not later than July 31, 1999, and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The text of House Concurrent Resolution 168 is as follows:

H. CON. RES. 168

Resolved by the House of Representatives (the Senate concurring), That, notwithstanding the provisions of section 132(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 198(a)), the House of Representatives and the Senate shall not adjourn for a period in excess of three days, or adjourn sine die, until both Houses of Congress have adopted a concurrent resolution providing either for an adjournment (in excess of three days) to a day certain or for adjournment sine die.

The SPEAKER pro tempore. Pursuant to House Resolution 266, the concurrent resolution is considered as read, is not debatable, and the previous question is ordered to final adoption without intervening motion.

The question is on the concurrent resolution.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

MAKING IN ORDER ON AUGUST 3, 1999, OR ANY DAY THEREAFTER, CONSIDERATION OF H.J. RES. 58, REGARDING JACKSON-VANIK WAIVER FOR VIETNAM

Mr. DREIER. Mr. Speaker, I ask unanimous consent that it be in order at any time on August 3, 1999, or any day thereafter, to consider in the House the joint resolution (H.J. Res. 58) disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam; that the joint resolution be considered as read for amendment; that all points of order against the joint resolution and against its consideration be waived; that the joint resolution be debatable for 1 hour, equally divided and controlled by the

chairman of the Committee on Ways and Means in opposition to the joint resolution and a Member in support of the joint resolution; that pursuant to sections 152 and 153 of the Trade Act of 1974, the previous question be considered as ordered on the joint resolution to final passage without intervening motion; and that the provisions of section 152 and 153 of the Trade Act of 1974 shall not otherwise apply to any joint resolution disapproving the extension of the waiver authority contained in section 402(c) of the Trade Act of 1974 with respect to Vietnam for the remainder of the first session of the 106th Congress.

It is the intention of this unanimous consent request that the 1 hour of debate be yielded fairly between members of the majority and minority parties on both sides of this issue.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

ADJOURNMENT TO MONDAY, AUGUST 2, 1999

Mr. DREIER. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning hour debates.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

HONORING LANCE ARMSTRONG, AMERICA'S PREMIER CYCLIST

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that the Committee on Government Reform be discharged from further consideration of the resolution (H. Res. 264) expressing the sense of the House of Representatives honoring Lance Armstrong, America's premier cyclist, and his winning performance in the 1999 Tour de France, and ask for its immediate consideration.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

Mr. DOGGETT. Reserving the right to object, Mr. Speaker, under my reservation, and I do not intend to object since this is a resolution that I have

authored, I do want, in working with the gentleman from Texas (Mr. SESSIONS), to have a brief discussion of this resolution.

Some 21 Members, Democrats and Republicans, some of whom are here on the floor this afternoon have joined in this resolution in a bipartisan acknowledgment of the great success of Lance Armstrong in France this past week. I particularly want to acknowledge and will recognize momentarily the gentlewoman from California (Mrs. CAPPS) and an avid cyclist on her staff, Blake Selzer, who had been particularly interested in this subject.

Mr. Speaker, last Sunday, as Lance Armstrong, my fellow Texan and fellow Austinite, rode to the Arc de Triomphe in Paris, I was overcome not just with the importance of that moment, but with the importance of all that Lance has accomplished in getting to this point. I was also struck with the meaning that this victory would have for thousands of people around the world.

After an early budding career this young Austinite was stricken with life threatening advanced testicular cancer that actually metastasized and affected his lungs and brains. While his own recuperation was still incomplete, he began to worry not only about his own condition with this disease but with the impact that this disease was having on so many other people around the world. The drive and determination that the world got to see this past 23 days of the race in France was very evident to Austinites long before he ever rode up the streets of Paris, France.

But to get to Paris, Lance had to cover some 2300 miles circumnavigating France on a bicycle in some 23 days. That is more than a hundred miles a day in all types of terrain, even in the French Alps and against 200 of the best cyclists in the world. Unfortunately, the French terrain never lets one coast and the saying that it is all downhill from here was something that never seemed to apply.

As he rode into Paris wearing that coveted Yellow Jersey, the cheers from the good French people let the world know that indeed there was a new American in Paris.

This drive to be the best that you can be and to make the things better for others manifested itself in his own physical healing long before this race in the founding of the Lance Armstrong Foundation, a project of which my office provided some assistance. Lance undertook the foundation in December of 1996 just 3 months after his diagnosis.

The foundation has as its mission, and I see a colleague from Ohio who has worked in this area as well, awareness, education, and research on cancer. It sponsors the annual Ride for the Roses where people come from all over the United States to bicycle in our Texas hill country each spring and, in the process, raise money for the foundation. It is a fun event that raises

thousands of dollars, and that foundation also sponsors the Lance Armstrong Oncology Conference that gathers physicians from around the world to discuss and learn about advancements and treatments of cancer.

Just last year, the Tour de France had fallen under the specter of performance-enhancing drugs. This once very prestigious bicycle race has lost glamor and credibility; but thanks to Lance, the credibility of the race has been restored. And in Texas we are suggesting to cycling friends in France that they respectfully consider re-naming this the "Tour de Lance."

His recovery and victory in the tour has surprised the world, but it has not surprised us in Austin where we watched Lance as he promised to defeat cancer, where we watched him create this Lance Armstrong Foundation, and where we finally watched him wear this coveted Yellow Jersey.

I stand here today very proud to sponsor this resolution though I have been a recreational bicyclist who has had a little difficulty staying on my own bicycle at times. As an Austinite, as a Texan, as an American, we are very proud of his accomplishments. It was very exciting to see it this past week and to know that he was also not only representing Texas but there as a member of the United States Postal Service team and that this was a team effort of all of the members of the postal service and of the team that they sponsored.

So Lance pulled off the unexpected in Paris, and now we have good bipartisan support for this resolution honoring him.

We are not given many second chances in life, but Lance was given a second chance, and just look what he did with it. As he said himself, if you ever get a second chance in life, you have got to go all the way. The personal path that he has led certainly demonstrates that. We know here in the House that heroes are not just the giant statues against a red sky, they are the people that say: This is my community, my world, and it is my responsibility to make it better, and I know that my colleagues share in expressing our pride and gratitude to this young man from Texas, Lance Armstrong.

Mr. Speaker, further reserving the right to object, I yield to the gentlewoman from California (Mrs. CAPPS) who has been an inspiration on this legislation.

Mrs. CAPPS. Mr. Speaker, I thank our Texas colleagues, and, Mr. Speaker, I rise today to join all our colleagues in the House in honoring Lance Armstrong for his incredible victory in this year's Tour de France. Like millions of other Americans and fans around the globe, I followed Lance's journey to Paris with great enthusiasm. Lance Armstrong is only the second American to win the prestigious Tour de France since its inception in 1903. This is a race covering over 2,000

miles of French countryside over a 3-week period. He is the first American to win the Tour on an American team, the United States Postal Service team, and as we have heard, this win is a tribute to another victory as well for Lance and for us all, a victory over cancer.

Lance did not do this alone. It was the incredible hard work of his teammates that insured Lance would arrive in Paris wearing the Yellow Jersey, and it is going to take the same teamwork to find a cure for the devastating disease we call cancer. We in Congress must do all we can to help in this effort for just as Lance's victory on his bike took teamwork, the fight against cancer will take the same hard effort.

Lance Armstrong's comeback from cancer is from truly a remarkable story. Less than 3 years ago, he was diagnosed with testicular cancer and given less than a 50 percent chance of survival much less ever riding a bicycle again. Yet he came back to make what is one of the most incredible comebacks in the history of sport. The grueling Tour de France is one of the most physically demanding endurance sporting events in the world. Lance's sheer determination and athletic ability was inspiring to watch. He is a role model for cancer patients and survivors around the world.

Lance also matches his athleticism with altruism. Just 2 months after he was diagnosed with cancer, he formed the Lance Armstrong Foundation, a nonprofit organization devoted to fighting cancer through awareness, education, and research. In the truest sense of the word, Lance Armstrong is a hero. And in the words of Lance himself on his accomplishment, this is what he said:

I hope this sends a fantastic message to all the cancer patients around the world. We can return to what we were before and even better.

Mr. DOGGETT. Mr. Speaker, I thank the gentlewoman, and while reserving my reservation of objection, I yield to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member on the Committee on Transportation and Infrastructure who played such a significant role in the interests of bicycling and cyclists in the new transportation legislation.

Mr. OBERSTAR. Mr. Speaker, I want to compliment the gentleman from Texas (Mr. DOGGETT) and the gentleman from Texas (Mr. SESSIONS) for bringing up this resolution this afternoon, and I thank the gentleman for yielding this time.

The Tour de France, Mr. Speaker, is the oldest, most important and most challenging bicycling race in the world. The 2,300 miles covered by the cyclists in only 3 weeks, from the time trials in the flatlands to the sprints on rolling terrain, the exhausting climbs in the Alps and the Pyrenees encompass the most demanding skills of both individual and team effort. The Tour, in my judgment, is the greatest test of

fitness and endurance in all of athletics. This year, for only the second time in its 86-year history, the Tour was won by an American, Lance Armstrong. The only other American winner was three time Yellow Jersey holder, the now legendary Greg Lemond.

Lance Armstrong's victory is especially remarkable for several reasons. At 26 miles per hour, it was the highest average speed in tour history.

□ 1445

It was the first tour won by a predominantly American team. Greg Lemond won with largely European teams. And it was the first time a cancer survivor won the tour.

Two years ago, Lance Armstrong was clinging to a 20 percent hope of survival from a virulent attack of testicular cancer that had spread to his lungs and brain tissue. He conquered surgery, chemotherapy, the blistering heat of central France, the cold and rain of the mountain stages, and attacks from the world's best professional cyclists, to stand atop the winner's podium on the Champs-Élysées in Paris and don the winner's Yellow Jersey, the most coveted prize in all of competitive cycling.

In just 3 weeks, Lance Armstrong restored integrity and excitement to European cycling following last year's doping scandals; and he restored new hope and inspiration to cancer victims everywhere.

As an avid cyclist myself, who takes a year to pedal the 2,300 miles Lance Armstrong did in 3 weeks, I salute Lance Armstrong as a true American hero, a role model for American youth, and a future cycling legend.

Mr. DOGGETT. Mr. Speaker, I yield to the gentlewoman from Ohio (Ms. PRYCE), who has been such a leader in the efforts here to deal with the issue of cancer.

Ms. PRYCE of Ohio. Mr. Speaker, I thank the gentleman for yielding.

I am very pleased to join with my colleague from Texas in support of this resolution and congratulating Lance Armstrong, America's premier cyclist, in his recent victory.

During this year's tour, Lance won the four most important stages of the race, the 3-time trials and the first mountain stage, and he staked his place alongside some of the greatest winners of the past.

Regarded as one of the world's most demanding sporting events, the 23-day long, 2,306 mile race has challenged some of the world's fittest athletes since 1906. However, this year's victory by Lance Armstrong marks one of the greatest comebacks in the history of sports.

It was just a little over 2 years ago when Lance was diagnosed with testicular cancer, a form of cancer which strikes 7,400 men in the United States each year. And while it represents just 1 percent of all male cancers for men in their 20s and 30s, it is the leading form of cancer. Lance was diagnosed with

testicular cancer so advanced it had spread to his lungs and his brain. He was given just a 50 percent chance of survival. His doctors' main concerns were no longer his return to racing, but simply to keep him living.

However, Lance Armstrong had a different agenda. After undergoing surgery and during sessions of chemotherapy and tolerating nauseating drugs, Lance Armstrong began to ride and train between treatments. And then finally, there was good news. His blood protein levels had returned to normal and his chest x-ray was clear. Lance Armstrong was cancer-free just 1 year after beginning his treatment.

Lance Armstrong's incredible achievement to battle back from cancer and to claim victory in the world's premier cycling race not only illustrates his strong will and determination, but it also serves to send a strong message to all cancer patients and survivors, both young and old.

As Lance Armstrong simply put it after stepping down off the podium, "We can return to what we were before and be even better."

Mr. Speaker, earlier this week, the gentleman from Ohio (Mr. KASICH), my good friend and colleague, referred to Lance Armstrong as the "real McCoy," a true American hero. This resolution congratulates him on his spectacular performance and recognizes his contributions to inspire those fighting cancer, and it deserves our support.

When Lance was diagnosed with cancer, he had a choice and he chose to fight. However, he is not just fighting for himself, but for all cancer patients worldwide. By establishing the Lance Armstrong Foundation, he is raising awareness, increasing research and providing services for people with cancer. To the cycling community, his victory may seek to inspire our next generation of cyclists, just as American Greg Lemond's second win inspired him. But to cancer patients and survivors around the world, his victory means much more, and his fight and determination send such a strong message to never give up.

Mr. Speaker, I congratulate Lance Armstrong not just for his victory in France, but more importantly, on his victory in life. He is a true American hero, and I urge strong support for this resolution.

Mr. DOGGETT. Mr. Speaker, I yield to the gentleman from Harris County, Texas (Mr. BENTSEN), to end finally on a Lone Star note, quite appropriately.

Mr. BENTSEN. Mr. Speaker, I thank my colleague from Austin for yielding and also my colleague from the Dallas area as well.

Mr. Speaker, I rise to honor our fellow Texan, Lance Armstrong, and his remarkable comeback from testicular cancer to win the 1999 Tour de France.

Lance Armstrong has stopped at many checkpoints along the road to recovery from cancer. One of these checkpoints was at M.D. Anderson Hospital in Houston where he received

chemotherapy treatment as part of his miraculous recovery. As Lance has mentioned, his chemotherapy treatment at M.D. Anderson was one of the most difficult parts of his trying ordeal, because it resulted in the loss of hair, strength, weight, and all the other ills that accompany chemotherapy; yet his inner strength and personal will allowed him to defeat his cancer and regain his strength and prove to himself and the world that he could not only compete in the Tour de France, but win it.

Many in the sports world, even in the cycling team, wrote off Lance Armstrong, but Lance Armstrong never gave up hope. He showed great courage and determination, and once the cancer was removed, he slowly and steadily climbed back on his bicycle and started to train. Then he started to race. Then he started to surprise the cycling world by making a stunning comeback.

Mr. Speaker, Lance Armstrong's victory inspires all of those who have had cancer, all of those who are fighting cancer, and all of those who have had loved ones die from cancer. He has proved to the world that there is life after cancer and that cancer no longer carries an automatic death sentence.

Lance Armstrong is now helping others prevent and survive testicular cancer not only through example, but by dedicating himself and his resources to the Lance Armstrong Foundation, which helps fund research to cure cancer.

Mr. Speaker, I congratulate Lance Armstrong both on his victory in Paris and his victory over cancer.

Mr. DOGGETT. Mr. Speaker, further reserving the right to object, I yield to the gentleman from the Dallas area in Texas (Mr. SESSIONS) so that he might offer further explanation of the bill.

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Austin for his indulgence in acceptance of this resolution on behalf all of the people of the United States.

As a lifelong Texan, I take great pride today to honor a brave young Texan who represents the very best of honor and dignity for Texas and America. Mr. Speaker, we take special pride today in this resolution recognizing the place that Lance Armstrong has earned among the truly inspirational athletes of this century. His tremendous achievement in winning the Tour de France of 1999 would stand as the greatest accomplishment of many athletes' lives.

This race, which occurs over a 2-week period through some of the hillest terrain in Europe, requires exceptional fitness on the part of each and every competitor. It is a feat of endurance that is rarely matched in any field of athletic competition. Few Americans have ever won this event, and as was noted today, Lance Armstrong was only the second, and none have overcome the obstacles that Lance Armstrong did as he prepared for this monumental achievement.

Just 3 years ago, Lance Armstrong was diagnosed with testicular cancer. This disease is one of the most common forms of cancers among men between the ages of 15 and 35. When he was diagnosed, doctors gave him less than a 50 percent chance of surviving. He faced a future of surgery, followed by radiation and chemotherapy and his training for bicycle racing took a back seat to overcoming the immediate threat to his life.

Lance Armstrong has done far more than just survive. He has successfully completed his own treatment; and then, as he resumed his training for competition, he established the Lance Armstrong foundation to promote, through awareness, education and research, the fight against testicular cancer. In organizing this valuable community service, he has initiated the measures that will help many other young men receive information and to early dying knows that which is effective, early treatment.

Mr. Speaker, this resolution expresses for the entire United States of America our House's acclaim for Lance Armstrong as an athlete and dedicated contributor to his community and as an outstanding American citizen. We applaud his accomplishments and wish him continued success in every aspect of his activity.

Mr. Speaker, I ask that the House agree to the adoption of H. Res. 264.

Mr. DOGGETT. Mr. Speaker, I appreciate the timely consideration of this resolution so that this body could go on record immediately in honoring Lance and all that his effort represents in a strong, bipartisan way. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 264

Whereas Lance Armstrong was diagnosed with advanced testicular cancer in 1996 and given a less than 50 percent chance of survival by doctors;

Whereas testicular cancer is the most common form of cancer in men between 15 and 35 years old;

Whereas Lance Armstrong has established the Lance Armstrong Foundation, devoted to fighting cancer through awareness, education, and research;

Whereas Lance Armstrong has made one of the most memorable comebacks in sports history;

Whereas the Tour de France is one of the most physically demanding endurance sporting events in the world; and

Whereas Lance Armstrong has honored the Nation with his courageous performance by winning the Tour de France: Now, therefore, be it

Resolved, That the House of Representatives—

(1) congratulates Lance Armstrong on his spectacular performance, winning the 1999 Tour de France; and

(2) recognizes the contribution Lance Armstrong's perseverance has made to inspire

those fighting cancer and survivors of cancer around the world.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT ON NATIONAL EMERGENCY WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 106-106)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995.

WILLIAM J. CLINTON.

THE WHITE HOUSE, July 29, 1999.

TRIBUTE TO CHARLES I. DENECHAUD, JR.

(Mr. OBERSTAR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. OBERSTAR. Mr. Speaker, I rise to pay tribute to my late father-in-law, Charles I. Denechaud, Jr., whose life ebbed away last Saturday, July 24. He was taken from his loved ones after nearly 3 years of a silent struggle against a stroke that disabled him and in the end robbed his most precious treasure, the ability to speak to his dear wife.

His remarkable life in the law and his extraordinary service to his fellow New Orleanians, his family, and the Catholic Church was summed up in a comprehensive account in the New Orleans Times Picayune of Sunday, July 25, which I submit for the RECORD. I also include in the RECORD at this point the eulogy of my wife, Jean K. Oberstar, my own remarks. I want to cite the splendid eulogy offered, though not available in printed version, by Jean's brother-in-law, Tommy Boggs, in warm and touching tribute to a man whose exemplary life will inspire all of us to so live our lives.

CHARLES I. DENECHAUD, JR.

EULOGY OF HON. JAMES L. OBERSTAR, M.C.

As we left the restaurant a few years ago, I had a clever idea: "Us older guys should walk together," I said, taking his arm, "and you can help steady me, I've got a bad hip."

Charles quickly saw through the ruse: "It's hell to get old, Jim; the first thing to go are

the legs. Take care of your legs. Now, let me take your arm, so I don't stumble on something."

He closed with that warm twinkle in this eyes, and the gentle, upbeat, pursed smile which is the image I shall forever harbor and always cherish.

Like my own father, who lived a river's length and a culture away, Charles Denechaud saw everything, overlooked a great deal, and forgave much.

As my father did with in-laws, Charles took me in as one of his own, without reservation, and extended the greatest of all treasures: the inclusiveness of family love.

It was not my privilege to know, at its peak, his dazzling legal mind, but I shared, at its best, his unbounded love, especially for the lady he always endearingly called "my bride."

The Psalmist wrote: "I will treat him as my first-born son. I will love him forever, and be kind to him always; my covenant with him will never end."

Written of David, Psalm 89 appropriately embraces Charles I. Denechaud, Jr.

CHARLES I. DENECHAUD, JR.

EULOGY OF JEAN K. OBERSTAR

Almost three years ago, when my father was in the hospital, his doctor came into his room and asked, "Mr. Denechaud, would you like to pray?" There was silence for a while and then my father said, "My life is a prayer." And indeed it was.

As a child, his likeness was used as a model for one of the cherubs in the Edward Francis Denechaud stained glass window here at Holy Name. Perhaps his life was directed toward goodness from that time forward. After all, how many mortals are used as models for angels?

Although I don't really think Charlie Denechaud needs prayers, I ask you to pray for him anyway. I am quite certain that God will scoop up all the left-overs and given them to souls who do need them.

One of the measures of Charlie Denechaud is that each of his five children is quite sure that he or she was his favorite child. But whoever that person may have been, he or she takes a dim second place in terms of the love and devotion he had for his bride.

Mother, you must be so very proud of him and so very proud to have been his bride. I understand and have great empathy for your sadness. I share it. We all do. But never forget the love and pride you have for him—and he, absolutely, for you.

[From the New Orleans Times-Picayune,
July 25, 1999]

CHARLES I. DENECHAUD JR., ARCHDIOCESE
ATTORNEY

Charles I. Denechaud Jr., a lawyer who represent the Archdiocese of New Orleans and a number of other Catholic institutions in the city, died Saturday at his home. He was 86.

Mr. Denechaud, retired senior partner of Denechaud & Denechaud, was a lifelong resident of New Orleans.

Mr. Denechaud "was one of the leading citizens we had in this community," said G. Frank Purvis Jr., a friend for more than five decades.

"He was a very find lawyer and a very dedicated lawyer, both to his profession and to his faith," said Purvis, the former chairman of Pan-American Life Insurance Co. in New Orleans.

The Denechaud family has represented the archdiocese since 1901, beginning with Mr. Denechaud's father, Charles Sr. The firm also has represented Loyola and Xavier universities, the Daughters of Charity, Hotel Dieu hospital and Jesuit High School.

Mr. Denechaud represented WWL television since the station's inception, and played a crucial role in Loyola University's acquisition of the station, his son, Charles III, said.

Mr. Denechaud attended Our Lady of Lourdes school, Jesuit High School and Loyola University and received an honorary L.L.D. degree from Xavier University in 1954.

He was a former member of the President's Council of Loyola University, New Orleans Hospital Council, National Association of College and University Attorneys, United Negro College Fund, American Hospital Association, New Orleans Hospital Council, Louisiana Hospital Association and Catholic Hospital Association.

He was former member of the board of advisors of WWL and First National Bank of Commerce in New Orleans and the board of directors of Chinchuba Deaf Mute Institute, New Orleans Public Library, Metropolitan Area Committee, National American Bank, Sisters of the Immaculate Conception, Eucharistic Missionaries of St. Dominic, and National Diocesan Attorneys Association.

He was former chairman of Hotel Dieu Board of Advisors, St. Vincent Infant Asylum Board of Advisors and Our Lady of Holy Cross College Board of Lay Trustees. He was past president and director of Blue Cross of Louisiana and Society for the Prevention of Cruelty to Children, past president of the Audubon Park Commission and past director of the Marquette Association for Higher Education, St. Mary's Catholic Orphan Boys Asylum, New Orleans Chamber of Commerce and National Conference of Christians and Jews.

Mr. Denechaud was a member of the New Orleans Bar Association and served as its vice president from 1944 to 1945. He was also a member of the Louisiana, American and Federal Communications Bar Associations.

He was a member of Holy Name Society, St. Thomas More Catholic Lawyers Association, Alumni Chapter of Beggars Fraternity, President's Associates of Loyola University, New Orleans Country Club, Startford Club and Pickwick Club. He was named Layman of the Year by the Louisiana Hospital Association in 1969 and Outstanding Alumnus of the Year by Jesuit High School in 1978 and received affiliation to the Company of the Daughters of Charity of St. Vincent de Paul in 1981.

In 1947, Pope Pius XII named Mr. Denechaud a Knight of St. Gregory, one of the highest honors in the Catholic Church. He became a Knight Commander of the Order of St. Gregory the Great in 1958.

Survivors include his wife, Barbara Byrne; two sons, Charles III and Edward B. Denechaud; three daughters, Barbara Denechaud Boggs of Washington, D.C., Jean Kurth Oberstar of Washington, D.C. and Deborah Denechaud Slimp of Atlanta; two sisters, Kathleen D. Charbonnet and Margaret D. Ramsey; 13 grandchildren; and six great-grandchildren.

A Mass will be said Tuesday at 10:30 a.m. at Holy Name of Jesus Catholic Church, 6363 St. Charles Ave. Visitation will begin at 9 a.m. Burial will be in Metairie Cemetery. Lake Lawn Metairie Funeral Home is in charge of arrangements.

DO NOT CUT NASA'S BUDGET

(Mr. ROGAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks and include extraneous material.)

Mr. ROGAN. Mr. Speaker, the House is recommending a \$1.4 billion cut out

of NASA's budget. This is wrong. With the string of accomplishments and world firsts under its belt, NASA has exceeded its goals of both this decade, 40 years ago to send men to the moon and return them safely to earth.

Under these proposed cuts, one of NASA's primary installations, the Jet Propulsion Laboratory in Pasadena, California will be the hardest hit. Their vital research leading us into the next century would be decimated by this action. The American people need to know that this is wrong, and I intend to join with my colleagues to fight these cuts.

NASA and JPL have proven that, in an era of diminishing Federal budgets, we can achieve results, in NASA Directors Dan Goldin's words, that are "faster, better and cheaper." We must not reward NASA's efficiency by further slashing their budget.

I urge my colleagues and the House leadership to reinstate full funding for NASA, JPL, and America's crucial space science programs. Those who wish to cut funds for NASA and JPL are the heirs of those who scoffed at Columbus because they thought the earth was flat.

Mr. Speaker, I include the following article for the RECORD:

THURSDAY, JULY 29, 1999.

NASA DESERVES BETTER

America's record budget surplus has left the nation more able than ever to reach for the stars, but to the astonishment of scientists a House appropriations subcommittee on Monday approved a spending bill that increases most federal agency budgets but takes a \$1.4-billion bite out of NASA's budget. That's 11%. Worse, the cut tends to target the agency's most cost-efficient and significant projects. Officials at Pasadena's Jet Propulsion Laboratory say the change would sharply set back JPL research.

The decision of the Republican-dominated subcommittee to scrap the Triana satellite was easy enough to understand. In that odd-ball project, a camera on the satellite would broadcast a live picture of Earth over the Internet, an idea conceived by Vice President Al Gore. Its demise wouldn't slow the forward march of science, but the subcommittee's other cuts would. They include: \$100 million for the Space Infrared Telescope, which would enable scientists to detect "brown dwarfs," substellar objects that the existing Hubble and Chandra space telescopes have trouble seeing. Their number and density must be known in order to calculate the mass of the universe and thus its age and ultimate fate. \$200 million for the Earth Observation system. This proposal for a network of satellites—conceived in the Reagan administration and officially initiated by President George Bush—would create Earth's first integrated system for understanding how clouds and other fine particles affect global temperatures and climate. The answers could help nations prepare for hurricanes, droughts, global warming and other climate changes.

NASA director Daniel S. Goldin turned NASA into a model for efficient, small government projects. In the 1960s NASA used 4% of the nation's budget to put a man on the moon—an inspiring endeavor that nonetheless yielded only marginal scientific returns. Today the agency's far more economical missions reap huge amounts of worthwhile

data while consuming less than 1% of the federal budget.

That's why members of the full House Appropriations Committee should restore NASA's funding when they take up the agency's budget on Friday. Democrats on the committee are expected to support restoration, but Republican members might need persuading. You can encourage them by calling the numbers below.

To take Action: Reps. Jerry Lewis (R-Redlands); Ron Packard (R-Oceanside); and Randy "Duke" Cunningham (R-San Diego).

□ 1500

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 6, 1999, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

(Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. SMITH) is recognized for 5 minutes.

(Mr. SMITH of Michigan addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FOSSELLA. Mr. Speaker, I ask unanimous consent that I may give my special order at this time.

The SPEAKER pro tempore (Mr. PEASE). Is there objection to the request of the gentleman from New York?

There was no objection.

THE DEBATE ON THE BUDGET SURPLUS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. FOSSELLA) is recognized for 5 minutes.

Mr. FOSSELLA. Mr. Speaker, in the last couple of weeks we have seen a vigorous debate here in the House and in the other body. I think it is one that resonates across the country. That is, what to do with the projected \$3 trillion budget surplus.

There are those who want to argue that the path to prosperity really begins and ends here in Washington, that bigger government and higher taxes and taking away control from our everyday lives is the way to go.

There are those who feel that the path to prosperity is paved across every street across our great Nation; that rewarding people to go out and work hard, and to allow hard-working Americans to keep more of what they earn, that is the direction we believe is

the right way to go; to strengthen personal freedom, to strengthen individual liberty, and to allow economic growth to create more jobs and to put more people to work.

Mr. Speaker, this is a debate that is just beginning, but one I think every hard-working American taxpayer needs to take note of.

As a reference, I cite a statement that was given about 36 years ago from then President John Kennedy. These were his remarks.

The most direct and significant kind of Federal action in aiding economic growth is to make possible an increase in private consumption and investment demand—to cut the fetters which hold back private spending. In the past, this could be done in part by the increased use of credit and monetary tools, but our balance of payment situation today places limits on our use of those tools for expansion.

It could also be done by increasing Federal expenditures more rapidly than necessary, but such a course would soon demoralize both the government and the economy. If government is to retain the confidence of the people, it must not spend a penny more than can be justified on grounds of national need and spent with maximum efficiency.

The final and best means of strengthening demand among consumers and business is to reduce the burden on private income and the deterrents to private initiative which are imposed by our present tax system. This administration pledged itself last summer to an across-the-board, top-to-bottom cut in personal and corporate income taxes to be enacted and become effective in 1963.

Madam Speaker, President John Kennedy then, like Ronald Reagan several years ago, recognized what it meant to invest and truly believe in the spirit of the American people. This American spirit to produce, to invest, to create, and to give back is what this Nation is truly all about.

Currently we engage, as I say, in this debate, and although it is 36 years later, the core principles still remain the same. On one side are those who do not believe in the American spirit or the American people. According to this view, bigger government, higher taxes, and more government control is the answer and the salvation.

The alternative view, however, places trust and wisdom in the American people. Our views seem to strengthen personal freedom and reward individuals for the efforts they are willing to undertake. We wish to promote economic growth by reducing the tax burden on hard-working Americans and essentially telling the American people, we believe in you, we trust you, and we want you to keep more of your hard-earned money in your pockets, so you are allowed to spend that on your families, on your education, on your vacation, on your car, making that mortgage payment, buying the new washing machine.

Because ultimately it is not about, well, we are going to destroy this program or destroy that program. No, it is about reminding folks what is important: to protect and strengthen social security and Medicare, to strengthen our national defense, and so many

other vital programs that are critical to our Nation.

But when we are confronted with a projected \$3 trillion budget surplus generated by the American people, who are working hard every single day, I do not believe, nor do I think it is unfair, but in fact I think it is not right unless we give a portion of that money back to the people who earned it.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. TANNER) is recognized for 5 minutes.

(Mr. TANNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FILNER. Mr. Speaker, I ask unanimous consent to take my 5 minutes at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

THE MEANING OF COMPASSIONATE CONSERVATISM: CUTTING FUNDING FOR AMERICA'S VETERANS

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from California (Mr. FILNER) is recognized for 5 minutes.

Mr. FILNER. Madam Speaker, I believe I have discovered the meaning of compassionate conservatism, at least as defined by the congressional Republicans. It is conservative to cut funding for the critical needs of our Nation's veterans, and it is compassionate to use that money for pork projects for congressional people in exchange for their votes.

At least that is the definition implied by the VA-HUD-Independent Agencies appropriations bill which was crafted by the Republican majority in its subcommittee earlier this week.

As the Washington Post reported yesterday, this pending bill is chock full of pork, 215 provisions funding a host of projects and activities that have little or nothing to do with veterans or housing, or the other concerns that this bill is supposed to address.

Madam Speaker, the gentleman just before me spoke of returning the surplus to people. What we are doing here is returning that surplus in pork projects to the majority Congress-people.

As one who has joined our veterans throughout the Nation in advocating for the past many months for additional funding in the veterans budget, I am frustrated, appalled, shocked, and angry at this turn of events.

Our veterans must wait for months to see a doctor, but we fund the pork project of a machine aimed at growing

plants in space. A Virginia doctor in Kentucky was authorized to provide care for only 35 of the 500 veterans suffering from Hepatitis C, a disease that is often fatal, but we fund the pork project of ship bottom painting.

Last year we fought to pass legislation to provide health care for Persian Gulf veterans suffering from undiagnosed illnesses. We now have no funding to absorb these additional veterans in VA medical facilities, but we are funding the pork project of research into windstorms. One-third of our homeless are veterans who served their Nation. We need services to help them get off the streets and back into productive lives. But instead, Madam Speaker, we fund a pork project for studying the impact of temperatures on living organisms.

We are discharging veterans every day who are Alzheimer's patients, but we fund three separate pork projects worth \$11.5 million in the district of our Speaker of the House.

Some of these projects may be worthy, especially in the abstract. But then Congress should fund them openly and honestly and above board. Sneaking them into a bill that should include \$2 billion more for veterans just to keep the services we are providing today afloat is dishonest, it is an insult to the men and women who served our Nation in battle.

Is that what compassionate conservatism is all about: We cut veterans, but we hand out pork?

Madam Speaker, I urge my colleagues to reject this bill next week, and adequately fund the health needs of our Nation's veterans. I yield back whatever rationality exists in this House.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Mr. GOSS) is recognized for 5 minutes.

(Mr. GOSS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING REVISIONS TO THE BUDGET AGGREGATES AND RECONCILIATION INSTRUCTIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. KASICH) is recognized for 5 minutes.

Mr. KASICH. Madam Speaker, pursuant to Sec. 211 of H. Con. Res. 68, I hereby submit for printing in the CONGRESSIONAL RECORD revisions to the budget aggregates and reconcili-

ation instructions. The aggregate level of revenue for fiscal year 2000 is reduced by \$14,398,000,000. This will change the recommended level of revenue for fiscal year 2000 to \$1,393,684,000,000.

In addition, the revenue reduction reconciled to the Committee on Ways and Means in H. Con. Res. 68 is increased by \$14,398,000,000 for fiscal year 2000, the period of fiscal years 2000 through 2004, and the period of fiscal years 2000 through 2009. This will change the amounts reconciled to the Committee on Ways and Means in Sec. 105 of H. Con. Res. 68 to \$14,398,000,000 for fiscal year 2000, \$156,713,000,000 for the period of fiscal years 2000 through 2004, and \$792,266,000,000 for the period of fiscal years 2000 through 2009.

Questions may be directed to Art Sauer or Jim Bates.

COMMUNICATION FROM THE CHAIRMAN OF THE COMMITTEE ON THE BUDGET REGARDING STATUS REPORT ON CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2000 AND FOR THE 10-YEAR PERIOD OF FISCAL YEAR 2000 THROUGH FISCAL YEAR 2004

Mr. KASICH. Madam Speaker, to facilitate application of sections 302 and 311 of the Congressional Budget Act, I am transmitting a status report on the current levels of on-budget spending and revenues for fiscal year 2000 and for the 10-year period of fiscal year 2000 through fiscal year 2004.

The term "current level" refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President's signature as of July 21, 1999.

The first table in the report compares the current level of total budget authority, outlays, and revenues with the aggregate levels set by H. Con. Res. 68. This comparison is needed to implement section 311(a) of the Budget Act, which creates a point of order against measures that would breach the budget resolution's aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2000 because appropriations for those years have not yet been considered.

The second table compares the current levels of budget authority and outlays of each direct spending committee with the "section 302(a)" allocations for discretionary action made under H. Con. Res. 68 and for fiscal year 2000 and fiscal years 2000 through 2004. "Discretionary action" refers to legislation enacted after adoption of the budget resolution. This comparison is needed to implement section 302(f) of the Budget Act, which creates a point of order against measures that would breach the section 302(a) discretionary action allocation of new budget authority or entitlement authority for the committee that reported the measure. It is also needed to implement section 311(b), which exempts committees that comply with their allocations from the point of order under section 311(a).

The third table compares the current levels of discretionary appropriations for fiscal year 2000 with the revised "section 302(b)" sub-allocations of discretionary budget authority and outlays among Appropriations subcommittees.

This comparison is also needed to implement section 302(f) of the Budget Act, because the point of order under that section also applies to measures that would breach the applicable section 302(b) sub-allocation.

The fourth table compares discretionary appropriations to the levels provided by section 251(c) of the Balanced Budget and Emergency Deficit Control Act of 1985. Section 251 requires that if at the end of a session the discretionary spending, in any category, exceeds the limits set forth in section 251(c) as adjusted pursuant to provisions of section 251(b), there shall be a sequestration of funds within that category to bring spending within the established limits. This table is provided for information purposes only. Determination of the need for a sequestration is based on the report of the President required by section 254.

REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET

STATUS OF THE FISCAL YEAR 2000 CONGRESSIONAL BUDGET ADOPTED IN H. CON. RES. 68—REFLECTING ACTION COMPLETED AS OF JULY 21, 1999

[On-budget amounts, in millions of dollars]

	Fiscal year—	
	2000	2000–2004
Appropriate level (as amended by P.L. 106–31 and H.R. 2490):		
Budget Authority	1,428,745	NA
Outlays	1,415,484	NA
Revenues ¹	1,393,684	7,399,759
Current level:		
Budget Authority	898,425	NA
Outlays	1,092,887	NA
Revenues	1,408,063	7,556,473
Current level over (+)/under (–) appropriate level:		
Budget Authority	–530,320	NA
Outlays	–322,597	NA
Revenues	14,379	156,714

¹ The revenue numbers reflect adjustments made pursuant to Sec. 211 of H. Con. Res. 68.

NA—Not applicable because annual appropriations Acts for Fiscal Years 2001 through 2004 will not be considered until future sessions of Congress.

BUDGET AUTHORITY

Enactment of any measure providing new budget authority for FY 2000 in excess of \$530,320,000 (if not already included in the current level estimate) would cause FY 2000 budget authority to exceed the appropriate level set by H. Con. Res. 68.

OUTLAYS

Enactment of any measure providing new outlays for FY 2000 in excess of \$322,597,000 (if not already included in the current level estimate) would cause FY 2000 outlays to exceed the appropriate level set by H. Con. Res. 68.

REVENUES

Enactment of any measure that would result in any revenue loss for FY 2000 in excess of \$14,379,000,000 (if not already included in the current level estimate) would cause revenues to fall below the appropriate level set by H. Con. Res. 68.

Enactment of any measure resulting in any revenue loss for FY 2000 through 2004 in excess of \$156,714,000,000 (if not already included in the current level) would cause revenues to fall below the appropriate levels set by H. Con. Res. 68.

DIRECT SPENDING LEGISLATION—COMPARISON OF CURRENT LEVEL WITH COMMITTEE ALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(a) REFLECTING ACTION COMPLETED AS OF JULY 21, 1999

[Fiscal years, in millions of dollars]

	2000		2000–2004	
	BA	Outlays	BA	Outlays
HOUSE COMMITTEE:				
Agriculture:				
Allocation				
Current level				
Difference				
Armed Services:				
Allocation				
Current level				
Difference				
Banking and Financial Services:				
Allocation				
Current level				
Difference				
Education and the Workforce:				
Allocation				
Current level		32		
Difference		32		
Commerce:				
Allocation				
Current level				
Difference				
International Relations:				
Allocation				
Current level				
Difference				
Government Reform and Oversight:				
Allocation				
Current level				
Difference				
House Administration:				
Allocation				
Current level				
Difference				
Resources:				
Allocation				
Current level				
Difference				
Judiciary:				
Allocation				
Current level				
Difference				
Transportation and Infrastructure:				
Allocation	2,475		12,115	
Current level				
Difference	(2,475)		(12,115)	
Science:				
Allocation				
Current level				
Difference				
Small Business:				
Allocation				
Current level				
Difference				
Veterans' Affairs:				
Allocation	394	360	6,893	6,689
Current level				
Difference	(394)	(360)	(6,893)	(6,689)
Ways and Means:				
Allocation			500	145
Current level		(2)		(2)
Difference		(2)	(500)	(147)
Select Committee on Intelligence:				
Allocation				
Current level				
Difference				
Total authorized:				
Allocation	2,869	360	19,508	6,834
Current level		30		(2)
Difference	(2,869)	(360)	(19,508)	(6,836)

COMPARISON OF CURRENT LEVEL TO DISCRETIONARY SPENDING LEVELS SET FORTH IN SEC. 251(c) OF THE BALANCED BUDGET AND EMERGENCY DEFICIT CONTROL ACT OF 1985

[In millions of dollars]

	Defense ¹		Nondefense ¹		General purpose		Violent crime trust fund		Highway category		Mass transit category	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Statutory Caps ²	NA	NA	NA	NA	533,796	544,102	4,500	5,554	NA	24,574	NA	4,117
Current Level	1,667	88,714	9,179	164,097	10,847	252,811	0	3,271	0	0	0	0
Difference (Current Level — Caps)	NA	NA	NA	NA	—522,949	—291,291	—4,500	—2,283	NA	—24,574	NA	—4,117

¹ Defense and nondefense categories are advisory rather than statutory.² Consistent with H. Con. Res. 68.

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2000—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)

[In millions of dollars]

	Revised 302(b) suballocations				Current level reflecting action completed as of July 21, 1999				Difference			
	Discretionary		Mandatory		Discretionary		Mandatory		Discretionary		Mandatory	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Agriculture, Rural Development	13,882	14,346	50,295	33,088	44	3,997	0	0	(13,838)	(10,349)	(50,295)	(33,088)
Commerce, Justice, State	30,067	30,515	523	529	168	10,893	0	0	(29,899)	(19,622)	(523)	(529)
National Defense	267,692	259,130	209	209	1,668	78,350	0	0	(266,024)	(180,780)	(209)	(209)
District of Columbia	453	448	0	0	0	4	0	0	(453)	(444)	0	0
Energy and Water Development	20,190	20,140	0	0	0	7,542	0	0	(20,190)	(12,598)	0	0
Foreign Operations	12,625	13,168	44	44	0	8,456	0	0	(12,625)	(4,712)	(44)	(44)
Interior	13,888	14,354	59	83	10	5,129	0	0	(13,878)	(9,225)	(59)	(83)
Labor, HHS & Education	77,074	77,989	233,459	233,644	8,844	57,466	0	0	(68,230)	(20,523)	(233,459)	(233,644)
Legislative Branch	2,438	2,448	94	94	0	348	0	0	(2,438)	(2,100)	(94)	(94)
Military Construction	8,450	8,807	0	0	0	6,316	0	0	(8,450)	(2,491)	0	0

DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2000—COMPARISON OF CURRENT LEVEL WITH SUBALLOCATIONS PURSUANT TO BUDGET ACT SECTION 302(b)—Continued
[In millions of dollars]

	Revised 302(b) suballocations				Current level reflecting action completed as of July 21, 1999				Difference			
	Discretionary		Mandatory		Discretionary		Mandatory		Discretionary		Mandatory	
	BA	O	BA	O	BA	O	BA	O	BA	O	BA	O
Transportation	12,400	43,445	721	717	0	26,007	0	0	(12,400)	(17,438)	(721)	(717)
Treasury-Postal Service	13,467	13,947	14,385	14,394	71	3,265	0	0	(13,396)	(10,682)	(14,385)	(14,394)
VA-HUD-Independent Agencies	65,300	78,937	21,319	21,136	42	48,309	0	0	(65,258)	(30,628)	(21,319)	(21,136)
Reserve/Offsets	0	0	0	0	0	0	0	0	0	0	0	0
Unassigned ¹	370	673	0	0	0	0	0	0	(370)	(673)	0	0
Grand total	538,296	578,347	321,108	303,938	10,847	256,082	0	0	(527,449)	(322,265)	(321,108)	(303,938)

¹ Unassigned refers to the allocation adjustments provided under Section 314, but not yet allocated under Section 302(b).

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 22, 1999.
Hon. JOHN R. KASICH,
Chairman, Committee on the Budget,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended, this letter and supporting detail provide an up-to-date tabulation of the on-budget current lev-

els of new budget authority, estimated outlays and estimated revenues for fiscal year 2000. These estimates are compared to the appropriate levels for those items contained in House Concurrent Resolution 68, which has been revised to include the amounts provided and designated as emergency requirements in Public Law 106-31, the Emergency Supplemental Appropriations Act for fiscal year 1999, and an allocation for the Earned Income Tax Credit that is under consider-

ation in H.R. 2490, the Treasury, Postal Service, and General Government appropriations bill for fiscal year 2000. Also included, pursuant to Sec. 211 of H. Con. Res. 68, is a reduction to the aggregate level of revenues.

This my first report for fiscal year 2000 and is current through July 21, 1999.

Sincerely,

PAUL VAN DE WATER
(for Dan L. Crippen, Director).

Enclosure.

PARLIAMENTARIAN STATUS REPORT FISCAL YEAR 2000 ON-BUDGET HOUSE CURRENT LEVEL AS OF CLOSE OF BUSINESS, JULY 21, 1999

[In millions of dollars]

	Budget authority	Outlays	Revenues
Enacted in previous sessions:			
Revenues			1,408,082
Permanents and other spending legislation	869,921	833,640	
Appropriation legislation		247,144	
Offsetting receipts	-295,703	-295,703	
Total, previously enacted	574,218	785,081	1,408,082
Enacted this session:			
Education Flexibility Partnership Act of 1999, P.L. 106-25		32	
Emergency Supplemental Appropriations Act, P.L. 106-31	1,955	7,360	
Miscellaneous Trade and Technical Corrections Act, P.L. 106-36		-2	-19
Total, enacted this session	1,955	7,390	-19
Entitlements and mandates: Budget resolution baseline estimates of appropriated entitlements and other mandatory programs not yet enacted	322,252	300,416	
Totals:			
House current level	898,425	1,092,887	1,408,063
House budget resolution	1,428,745	1,415,484	1,393,684
Amount remaining:			
Under budget resolution	-530,320	-322,597	
Over budget resolution			14,379
Addendum: Revenues, 2000-2004:			
House current level			7,556,473
House budget resolution			7,399,759
Amount current level over budget resolution			156,714

Note: Estimates include \$1881 million in budget authority and \$7,258 million in outlays for the funding of emergency requirements.
Source: Congressional Budget Office.

JULY 30, 1999, IS TILLAMOOK DAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Oregon (Ms. HOOLEY) is recognized for 60 minutes.

Ms. HOOLEY of Oregon. Madam Speaker, imagine a land where cows outnumber the people two to one, where the high school football team is aptly named the Cheesemakers, and where world famous cheddar cheese is produced by a cooperative of dairy farmers, many who have passed that skill on from generation to generation.

Such a place exists in a small Oregon coastal county named Tillamook. This 35,000 acre region is peppered with approximately 150 family farms that supply fresh milk to the Tillamook County Creamery Association, which in turn produces award-winning Tillamook cheese. It also markets butter, sour cream, yogurt, and ice cream. It was founded in 1909. The Tillamook

County Creamery accounts for one-third of Oregon's dairy industry.

Swiss settlers looking for an ideal location to raise dairy cattle discovered Tillamook in 1851. The name Tillamook is a native American name meaning land of many rivers, which is especially appropriate since five rivers feed into the Tillamook Bay.

The region's climate is cool and wet, averaging 80 inches of rain annually, but it is this unique environment that allows cows to graze at least 8 months each year on natural grass in open pastures, resulting in exceptionally sweet and rich milk, the cornerstone of Tillamook cheese.

Superior milk, combined with Tillamook's unique cheese culture recipe, traditional cheddaring method, and natural aging process, enables the Tillamook County Creamery to guarantee its benchmark standards for its award-winning premium cheese.

The Tillamook County Creamery association takes pride in producing blue

ribbon cheese, and firmly believes that quality cheese begins in a quality location, a place where cows still roam the open fields.

Oregon is proud of the excellence and tradition the Tillamook County Creamery Association has exemplified over the past 90 years. Tillamook has been a leader locally and nationally in enhancing the visibility of Oregon's dairy industry.

The Tillamook County Creamery is one of Oregon's most popular tourist destinations, drawing visitors from around the globe; so exemplary that Oregon's governor, Governor Kitzhaber, has proclaimed today, July 30, 1999, to be Tillamook Day.

I urge all of my colleagues and the Nation to join me in observing Tillamook Day. If you are ever in Oregon, be sure to come and visit the factory and see how Tillamook's famous cheese is made.

I am proud to represent Tillamook County and the Tillamook County

Creamery, and I want to congratulate them for 90 years of operation in making America's best cheese.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina (Mrs. CLAYTON) is recognized for 5 minutes.

(Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. TURNER) is recognized for 5 minutes.

(Mr. TURNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

THE TAX BILL AND OUR TRADE RELATIONSHIP WITH THE PEOPLES' REPUBLIC OF CHINA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 6, 1999, the gentleman from California (Mr. SHERMAN) is recognized for 60 minutes as the designee of the minority leader.

THOUGHTS FOR THE PEOPLE OF ATLANTA

Mr. SHERMAN. Madam Speaker, our hearts go out to the people of Atlanta, especially the families of the dead and the wounded. For the next few weeks, our hearts will be troubled by the constant questions: Why? What could have been done? Frankly, I do not have any answers.

For this reason, I will ask Members to indulge me, because I came to the House to speak about other subjects, even though, as much as we would like to concentrate on the fiscal subjects that I would like to address, our hearts will still be with the people of Atlanta.

Madam Speaker, I have come to the House rather hurriedly. I became aware just a few minutes ago that I would be the designee of our side to speak for 1 hour, so I will go through my notes in an effort to comment on the tax bill that recently passed this House, and which I hope will be radically changed by the conference committee before it is resubmitted here.

Then, time permitting, I would like to talk about our trade relationship with the People's Republic of China, because when the House returns after the August break, we may be confronted with a major decision to be made with regard to whether to grant permanent most-favored-nation status or farm trade relations to the Peoples' Republic of China.

Focusing first on the tax bill, I would like to focus on two things: First, the content of the bill. So many speeches have been given on this floor talking about the size of the bill, and I do want to address that.

But there are many more differences between the Democratic position and the Republican position than their bill is three and one-half times the size of ours. Because when we look at the con-

tent of the Republican tax bill and to whom it grants relief, then we will see major differences in philosophy.

□ 1515

Madam Speaker, I spent over 20 years as a CPA, as a tax attorney, and as a tax court judge. I know tax fraud when I see it. The statements made in support of the Republican tax bill rise to the level of tax fraud.

We are told that we are giving people their money back. Yet, we take money from working men and women and provide in this Republican tax bill huge tax breaks to the rich and the special interests.

At least a dozen speakers have risen on this floor to claim that the Republican tax bill eliminates the marriage penalty; and, yet, it provides only minor relief. We are told that it provides tax cuts for working families, but it gives only a few crumbs to those in the bottom two-thirds of income in this country. It is a bill that we are told provides for school construction; and, yet, it provides very little. Likewise, with providing incentives for research.

Madam Speaker, Winston Churchill once remarked in talking about the pilots who saved Britain from the Nazi bombers, "never have so many owed so much to so few." If we enact the Republican tax bill, then it will be said of us as a people "never have so many given so much to so few", because we are asked, as a people of over a quarter billion in number, to give huge tax relief to the top 1 percent of our population.

I see that I am joined by the gentleman from Texas (Mr. TURNER) who would also like to talk about the tax bills that have recently passed this House.

Madam Speaker, I yield to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. Madam Speaker, I want to join with the gentleman from California (Mr. SHERMAN) on this hour of debate, this time that is set aside at the end of the day, to talk about the issues facing us.

I would like to spend just a moment addressing the tax cut proposal that was before the House in the last few days.

The Republican tax message is one cannot trust the Congress to act responsibly with the surplus. They say get the money out of town before it even arrives here yet. It is a little bit ironic to think their theme is one cannot trust the Congress to manage the money wisely when, in fact, the last time I checked, they were in the majority in this House.

Their bill spends a trillion dollars, giving a \$794 billion tax cut that is based on a future guesstimate of a trillion dollar on-budget surplus that is so far in the future that, if one looks at the tax cut year by year over the next 10 years, the tax cut planned in that \$794 billion for next year is only \$5 billion, six-tenths of 1 percent of the total tax cut.

The Federal Government, as my colleagues know, ran annual deficits for 29 years straight and ran up a \$5.6 trillion national debt. The annual interest on that debt exceeds the annual spending, if one can believe this, on all of national security.

The interest on the national debt takes 25 percent of all individual income taxes collected by the Federal Government every year.

Do my colleagues not think that we could be disciplined enough just to run one true budget surplus before we spend what we do not even have yet? If a business had borrowed money from a bank to operate for 29 years straight and, for the first time in 29 years, it showed a small profit, would the business declare a dividend to the stockholders; or would it try to pay down that huge debt they had accumulated? I think the answer is obvious.

Last week, the House had a historic opportunity to do what every businessman or woman, every family in America would do when faced with the choice of paying down debt or passing on that debt to our children, our grandchildren.

By a margin of 9 votes, this House defeated a responsible Democratic alternative that was designed to ensure that we had a reasonable tax cut while preserving Social Security and Medicare. We even had on the floor of the House a motion to recommit that provided that 50 percent of the on-budget surplus would go to paying down the debt, 25 percent for tax cuts, and 25 percent for priority spending needs, such as Medicare and Social Security.

Every Democrat on the floor of this House voted for that responsible alternative. Only one Republican joined us. All the remainder voted against that alternative.

I ask, where have all the fiscal conservatives in the Republican Party gone? Fiscal conservatives do not spend money that we do not even have yet. Fiscal conservatives do not ignore the advice of the Federal Reserve Chairman, Alan Greenspan, who has said over and over again before committees in this House that the best use of the surplus is to pay down debt.

Fiscal conservatives do not gamble with our economic security, our health security, or our retirement security. Fiscal conservatives understand that reducing the national debt lowers interest rates. For example, a 2 percentage point reduction in interest rates on the purchase of a \$90,000 home means a savings of almost \$1,500 a year in mortgage payments for American families. That is \$1,200 more than a family with an income of \$50,000 a year would get from the Republican tax cut plan. That family, under their plan, only gets \$300 a year.

Fiscal conservatives do not gamble with our economic security. They understand that our health security, our retirement security, our economic security is the important thing that must be preserved by the Congress.

Finally, fiscal conservatives do not pass on debts to their children and their grandchildren.

I believe we can have reasonable tax cuts over the next 10 years, given to people who really need the relief: working families and small business. These are the folks who have not yet fully participated in the booming new economy. These are the folks who live in rural America, the folks who live in the inner city.

In today's economy, tax cuts should not be aimed at Wall Street, but they should be aimed at Main Street. But an equally important priority for this Congress is to pay down that \$5.6 trillion national debt, to save Social Security, to save Medicare for our children.

Let us adopt a fiscally responsible tax reduction plan that shares the on-budget surplus, 50 percent to debt reduction, 25 percent for tax relief, and 25 percent to save Social Security and Medicare.

Mr. SHERMAN. Madam Speaker, the gentleman from Texas (Mr. TURNER) says it well. Since he has focused on the fiscal irresponsibility of the Republican tax cut, I would like to echo some of the things he had to say.

The most curious thing is that the Republican majority has come before us and agreed on what the best policy would be. They have agreed with Alan Greenspan that the best thing we could do is save the lion's share of the surplus, adopt only small tax cuts, and pay off the national debt. They admit that is the best economic policy. They admit that that is what is best for America. Why will they not do it?

They come before us and say that America, the best Nation in the world, cannot have the best economic policy, that we are congenitally unable to use funds to pay down the debt; that if the money is not used for tax cuts, it will be squandered and wasted.

Well, I think America is the best country, and it deserves a Congress that will adopt the best economic policies. If the Republicans feel that they are congenitally unable to be fiscally responsible, then the least they could do is get out of the way, retire, and endorse the Reform party candidate or the Independent candidate or even the Democratic candidate from their district who will come here and do what both sides of the aisle have agreed is the best policy for this Congress; and that is to use the vast majority of the surplus to pay down the national debt.

The gentleman from Texas illustrates it well when he talks about the importance of fiscal responsibility. He talks about a \$90,000 house. Out in extremely expensive Los Angeles and Ventura Counties, we can simply double those figures. Virtually every working family in my district that owns a home would save double or triple if they could reduce their interest rate by 1 or 2 percent as compared to the crumbs of tax relief found at the edges of this Republican tax bill.

Yet, we are told by a Republican majority that they cannot stop them-

selves, that the Republican majority must be made up of self-admitted spendaholics. Perhaps the undertow of their comment is the Republican majority will not be a majority very soon. One way or another, they are telling us that the Congress of next year and the year after somehow will not be able to pursue a fiscally responsible policy.

I am confident that, with gentlemen like the gentleman from Texas and men and women on this side of the aisle exercising fiscal responsibility, that we will be able to do what is politically difficult but what we have shown ourselves capable of doing in the last 2 years; and that is to confine spending, to avoid tax cuts we cannot afford, and to run a government surplus.

Think back. I know the gentleman from Texas and I came to Congress in the same year, 1997. I served on the Committee on Budget, and we came out with a plan adopted by this House. We said, by 2002, the budget will be balanced. We could hear the laughter, the loud laughter from the press galleries behind me. They were occupied at the time, with people who giggled at the prospect that the 1997 budget agreement would lead to a balanced budget by the year 2002. In fact, it lead to a balanced budget in 1999, in fact, a significant surplus in 1999.

So this Congress has, in the last 2 years, shown it can be fiscally responsible. Now we need a tax plan that is based on the best economic policy, not one that assumes the people of this country cannot have a Congress that is as good as they are. They know that the best use of these funds is to pay down the debt.

Now, among the reasons it is the best use of funds is that it allows us to stop paying interest on the debt. The Republican tax cut of over \$800 billion over the first 10 years, \$3 trillion in the second 10 years, those figures just reflect the cost of the tax cut. We have to add in the interest on the national debt that we will have to keep paying because, under the Republican plan, we cannot pay down the debt. That interest over the next 10 years will be on the order of another \$150 billion.

Imagine what we could do if we could pay off the debt, stop paying interest on the debt, and have interest rates that reflect the fact that Wall Street and Main Street know there is fiscally responsible government here in Washington.

□ 1530

Instead, we are asked to adopt a tax plan which will quickly erode the tenuous faith Americans have that we have our fiscal house, in order in this House.

I should point out both to those on our side of the aisle that have thought of a number of government programs they think should be funded, and to all of the little tax incentives and giveaways built into the Republican plan and those people who voted for it, that

fiscal responsibility will do more for the poor than 50 great society programs, and fiscal responsibility will do more for business than 50 special tax breaks. Because if we can take the Federal Government out of the capital markets, then all of the money that is available for investment, instead of being used to buy T-bills and T-bonds to finance Federal spending, can be available for private investment. That means a continuation of the economic expansion. It means people will find that when they go to borrow money for a new car or a new home those funds are available.

I can understand the desire to pass out tax breaks to wealthy interests. I can certainly understand the desire to provide special programs for those in need, but first and foremost we need to pay down the national debt.

At this point, I would yield to the gentleman from Texas (Mr. TURNER).

Mr. TURNER. I thank the gentleman for yielding, and I would like to engage the gentleman in a discussion regarding an issue that is often overlooked in the discussion on what we should do with the projected 10-year estimated, or guesstimated, surplus.

I am told by sources that know a lot more about how the economy works than I do that the current surplus estimate of \$2.9 trillion over the next 10 years, \$1.9 of which is in Social Security, which I think we have all agreed on both sides of the aisle we should not touch, but that other \$1 trillion that we are arguing over as to what is the best use of it, is really a figure that is quite tenuous.

In fact, I am told that if we take four of the assumptions that were used by the Congressional Budget Office to come up with that estimate of \$2.9 trillion and we adjust those four assumptions only very slightly, the surplus would change from \$2.9 billion over 10 years to a deficit once again.

Those four factors that were mentioned are: if, instead of assuming the employment rate that the CBO assumed, if employment simply ends up being 1 percent less than they estimate, in other words, if the unemployment rate is 1 percent greater than the CBO estimates, it has a significant impact on the surplus.

If spending goes up over the next 10 years, Federal spending, with inflation, rather than being down at the levels that we are struggling to maintain that were set in the balanced budget act of 1997, then part of that surplus will disappear.

Mr. SHERMAN. The gentleman is talking about a budget plan to try to keep all Federal expenditures at the same nominal levels without increasing them for inflation. I think we should note that the Speaker has said again and again that we would pass all the appropriations bills before the August break. But the Republican majority has shown that they cannot meet those limited spending objectives. That is why they are sending us home without passing the appropriations bills

and that they have now had to define the census as an unforeseen emergency and fund it outside of the budget caps.

Under those circumstances, does the gentleman think there is a significant risk the expenditures that will be voted over the next 10 years will exceed the no-increase-for-inflation straight line that the Republicans have used in their budget estimates?

Mr. TURNER. Well, it would seem to me very likely that that would be the result. And I, too, share the gentleman's concern with the double set of books that the Republican majority has begun to keep over the last couple of weeks just to try to show that they can stay within the budget caps of the 1997 Balanced Budget Act.

As we all know, if we declare something around here as an emergency, we do not have to count it against the caps. But one thing to keep in mind: every time somebody stands up and says, I want to declare this spending an emergency, they are taking it right out of the Social Security Trust Fund.

And the truth of the matter is, if we have things like the census declared an emergency, I think we are committing fraud with regard to the way we keep the Federal books. I mean the census is required in the United States Constitution. We do it every 10 years. And to stand up and say, well, we have to appropriate the money to do the census and call it emergency spending so it will not be counted against the budget caps is disingenuous, in my opinion.

As I mentioned, if we alter four factors in the Congressional Budget Office assumptions about the \$2.9 trillion surplus, it disappears. I mentioned two of them a minute ago.

If unemployment is simply 1 percent higher than they estimated over the next 10 years; if spending goes up with inflation rather than at the artificially low estimates that we have under the current estimate; if the gross domestic product, a fancy word that I am not sure I completely understand, simply grows at seven-tenths of 1 percent less than the Congressional Budget Office estimates; and, finally, if Medicare spending simply goes up at the same average annual rate that it has gone up since 1972; if all four of those things happen to turn out to be true, there is once again a deficit. There is no \$2.9 billion surplus; there is a deficit over the next 10 years.

I think it is often overlooked in this debate, as we argue about what to do with the surplus, that the threshold question should be will there really be a surplus. I hope there is, and I hope the economy stays strong; but to gamble our economic security, our health care security, the security of Social Security, all on an estimate that may turn out to be completely wrong is the height of fiscal irresponsibility.

Mr. SHERMAN. I would echo what the gentleman has to say.

If we are in a position where perhaps we will have an extra trillion dollars in general funds, not to mention the nec-

essary buildup in Social Security, as the gentleman pointed out, this \$2.9 trillion surplus, \$1.9 trillion of the surplus, is just building up funds that we are going to need when people the gentleman's age and my age are going to retire, so that only \$1 trillion of the estimated surplus is in the general fund, the one funded by regular taxes for regular expenditures.

If we are in a situation where we do not know whether that surplus is going to come in as projected, then we have two choices: we can adopt a plan where we say we hope it will come in and if it does, we will pay down the debt; or we can say, we hope it will come in, but we are going to spend it before it comes in. But the method that is most likely to lead to higher unemployment, the method that is most likely to lead to a decline in the growth of our gross domestic product is to adopt a fiscally irresponsible plan and then watch the markets respond, watch interest rates creep up, watch investment decline, watch unemployment go up.

So to act as if the surplus is certain is the best way to put it at risk. And that is another reason why the Republican plan is so fiscally irresponsible.

Let me now focus on the content of the tax cut, because even if we did not believe in fiscal responsibility, even if we thought we should have an \$800 billion tax cut exploding up to \$3 trillion in the second 10 years, is this the right kind of cut to have?

Let us look at the content. First, the Republicans promised to deal with the marriage penalty; and yet, and this is an interesting quote, the Family Research Council expressed its disappointment at the paltry marriage penalty relief found in the Republican tax bill. James Dobson, a man who has not ever offered to give me an award, I doubt he has offered to give the gentleman from Texas an award, went on radio to express his profound disappointment at the paltry marriage penalty relief in the Republican tax bill.

That being the case, we should look at the Democratic bill, the bill that costs less than a third of the Republican bill's cost. But somehow, with less than one-third the tax cut, the Democrats provide more marriage penalty relief than the Republican bill.

Let us look at the issue of school construction. We have seen the need to reduce class size around this country. We need our kids to get the best possible education. Well, if we are going to have smaller class sizes, then we need more classrooms. Both sides of the aisle have recognized that the Federal Government, through the tax code, should try to make it easier for local school districts to finance school construction. But in their bill, that is three times as expensive as the Democratic bill the Republicans provide only one-third of the help to local school districts. Three times as expensive but only one-third the help.

And what kind of help do they provide local school districts? What they

do is change the arbitrage rules. Well, what does that mean? It means that this is the only help they provide schools. This is the help. They tell every school district in the country, look, go issue tax-free bonds. Borrow the money at a low interest rate, and then for 4 years take that borrowed money, borrowed at a low interest rate, do not use it to build schools yet, but go play the market. Go invest it the way Orange County did right before Orange County went bankrupt.

The only help they provide local school districts is to give them a free plane ticket to Las Vegas and to invite them to put the school bond money on the crap table. And they say they will allow school districts to do this and that is how we will help school construction.

How do the Democrats help school construction? We simply provide three times more the Federal help, and we do it by saying the Federal Government will pay the interest on the school bonds. No risks, no arbitrage, no invitation to local schools to sell bonds today and to go into the stock market and the bond market and buy derivatives and hope they can make a profit. Just real help by paying the interest on the bonds.

□ 1545

The Democratic bill, about 30 percent the size of the Republican bill, makes the R&D tax credit permanent. But the Republican bill turns its back on high-tech industry and says we will give them the R&D credit for a few more years and then we will turn it off.

The Democratic bill provides for education, saying that employers can provide for education for their employees without the employees being taxed, whether it is graduate school education or whether it is undergraduate education or technical education.

Yet, in a bill that costs more than three times as much, the Republicans cannot find room to allow for employee education.

Well, what do they spend their money on, \$800 billion in the first 10 years, \$3 trillion in the next 10 years? How is it all spent? Not for married families. Not for school construction. And not for ordinary working families in this country.

Because, in fact, they provide over 50 percent of the tax relief to the top one percent of Americans' income and to giant corporations.

Now, in many of the speeches on this floor, the numbers stated are not quite as sharp as the ones I related. And that is because the other speakers on this floor have tended to ignore the corporate tax provisions.

But if we look at how much goes to the top one percent in income, 45 percent of the benefits plus roughly 10 percent of the benefits going to giant corporations, we will see why there is so little room in the Republican tax bill to help education or to help marriage or to help working families.

Let us talk a little bit about the breaks that they give giant corporations. They provide a special provision dealing with the interest allocation rules for multinational corporations.

Well, what does that all mean? What it means is they provide \$24.8 billion in tax relief to those corporations that take their shareholder money and invest it in factories overseas, shut down their domestic production, invest equity capital overseas, and share in a \$25 billion tax reduction.

That provision will not create jobs in America. It may create a few extremely poorly paid jobs overseas. But it is not just \$25 billion in the first 10 years. It is one of those exploding tax cuts that grows to nearly \$50 billion in the second 10 years.

Furthermore, the new Democratic coalition put forward the idea that we eliminate the estate tax for all but the one percent of the richest families in America and that we do it in a way so that the families do not have to prepare long estate planning documents, none of the bypass trusts, none of the trust tax returns, none of the complication of the lives of widows and widowers that has become standard among upper middle-class seniors. Just complete relief on the first \$2 million.

But that is not good enough for the Republican majority. They forget the derivation of the word "millionaire," someone who inherits a million dollars.

So they come here and they say, well, if they inherit a million dollars, there should be no tax. I agree. Inherit \$2 million there should be no tax. I agree. And then they say if they inherit a billion dollars, if they happen to be the lucky unborn son or daughter of Bill Gates and they inherit \$10 billion, they want no tax.

That is why their package is so expensive but they cannot provide relief to married families and they cannot help school construction.

Not only is the size of the Republican tax bill fiscally irresponsible, but the content is the most extremely regressive that I have ever seen.

I notice that one of my other colleagues has come to the floor and requested that I yield to her.

Mr. Speaker, I yield to the gentleman from North Carolina (Mrs. CLAYTON).

Mrs. CLAYTON. Mr. Speaker, I thank the gentleman very much for yielding. I appreciate that so much.

I had the pleasure of observing the discussion of the gentleman from California (Mr. SHERMAN) and the same topic he was talking about was very much on my mind and in my heart.

I appreciate the gentleman taking the leadership and getting this time and explaining so vividly not only the unreasonableness but the contradiction of this big, huge tax bill provision that we just passed in the House last week and how that is in contradiction of the principle that both sides say that they want to do.

They say, and we agree, the Democrats and Republicans agree, that we

want to protect Social Security, we want to reform Medicare, and we also agree we want to pay down the debt.

Well, we cannot spend the monies twice. The great surplus that we are so blessed to have in this country is not there to be spent time and over and over again. So they either do these things that they say they want to do or they indeed give this big tax bill.

I just want to thank my colleague for explaining this. With his background as a CPA, he can put these details in such a vivid way that people begin to understand the reasonableness.

I, too, want to reduce taxes. I think it needs to be targeted. It needs to be targeted for those families that are having health care problems long-term, those who are having problems in terms of needs of educating their kids and day-care.

Also, I think we do need some relief on inheritance tax. We raised it last time, and we need to raise it again. And raising it to \$2 million is reasonable and moving in the right direction. But the tax cut needs to be targeted and it certainly needs to be affordable and we need to balance that.

So I have come to the floor to participate in this discussion to say that there are priorities for spending and there are priorities for tax reduction that should be consistent with us giving everybody an opportunity in America.

We just should not give a tax break for the one-third or the richest one-fifth or give tax breaks to the one-third all over. We should make sure those are well-crafted, targeted tax relief.

More importantly, we should be able to afford it. Mr. Greenspan said over and over again, yes, he does not object to a tax cut. But it should be not in this environment when it is being proposed in an environment where we do not even have the surplus realized yet. The surplus that they are talking about is based on a projection for it to happen.

Actually, my colleague and I served on the Committee on the Budget and he and I know that the surplus that we are talking about for this year, by and large, is as a result of people paying their payroll taxes, going into the Social Security. So if we give this big tax break, guess what happens? We cannot spend it twice.

When we go on those great emergencies, guess what happens when we take things off of budget? It indeed comes from the surplus.

So I just want to commend the gentleman for bringing a very factual, reasonable discussion. This is not a rhetorical discussion. This is a factual, reasonable discussion how insane this tax cut is, how unreasonable it is, how in contradiction we put these principles, saying on the one side, Americans, we want to protect Social Security, we want to reform Medicare, we want to pay down the debt but, at the same time and in the same breath, we are going to give almost \$800 billion.

Yes, we need a tax cut. But we need it to be targeted and we need it to be affordable. We also have spending priorities. Our education of our kids. Our senior citizens are without drug prescription opportunity. There are millions of senior citizens having to debate whether they can afford to pay for their prescription or whether they can pay for the rent or buy food. These are the basic problems they have.

For those of us who now have the opportunity to be looking at the surplus, we ought to be balancing our priorities to make sure that all Americans are prosperous in this economy.

Again, I want to thank my colleague for yielding to me. I appreciate it so very much.

Mr. SHERMAN. Mr. Speaker, reclaiming my time, I thank the gentleman from North Carolina (Mrs. CLAYTON) for coming to the floor and for joining with us here.

I share her belief that we need tax cuts. But if we can keep this economic expansion going for another 5 years, first that will do far more for everybody's pocketbook than any tax cut. But second, we will then be able to talk about more tax cuts.

If we screw it up, if we adopt tax cuts that force interest rates up because we are fiscally irresponsible, then, first, people will suffer far more from an economic downturn and, second, we will be back here dealing with deficits.

Mrs. CLAYTON. Mr. Speaker, if the gentleman would yield further, I just want to share with my colleague, I am from rural America; and we in America are very blessed that we are having a sustained economy. But there are many of us in rural America and in the inner cities that are not prospering as much as anybody else.

That is not to say we should not celebrate our prosperity. We do. But I want my colleagues to know, as we celebrate this, all of us are not eating from the same plate and the same meal and all the nutrition. Some of us are having difficulty in finding money for our schools and rural areas. Farmers are suffering.

So my colleague makes the right point. We would take this kind of in the wrong direction if we give too much of a tax break and then require us to raise taxes even greater. That certainly would be a travesty, and we should not do that.

Mr. SHERMAN. Mr. Speaker, it will take a few more years of this economic expansion for it to be felt in those places that it has not yet been felt.

My largest county, I represent a part of Los Angeles County, was lagging behind the rest of California; and only in the last couple of years has the economic expansion really has been felt in Los Angeles county. I hope very much that it is beginning to be felt in your part of North Carolina.

There is nothing more important than keeping this economy growing.

Mr. TURNER. Mr. Speaker, will the gentleman yield?

Mr. SHERMAN. I yield to the gentleman from Texas.

Mr. TURNER. Mr. Speaker, I want to join with the gentlewoman from North Carolina (Mrs. CLAYTON).

I come from east Texas. The area that I represent is still operating off the old economy. The new economy had not made it there yet. And the old economy is not doing so well in rural America and inner city America.

That is why I feel so strongly, as my colleague does, about Congress making the right choices with regard to how we handle our Federal spending, our tax cuts.

As Democrats, we believe in tax cuts and we believe in tax cuts that are aimed at the people that really need them. I think it is important for us in trying to engage in this dialogue with the American people for them to understand that we want to see taxes go down just as much as anyone else in this body. But we want it to happen in a way that is good for the sustained, long-term growth of this country; and paying down the debt is a part of that, and we need to make that a priority.

I want to thank the gentleman from California (Mr. SHERMAN) for leading in this hour. It has been very informative to hear an individual with his background in accounting and finance talk about the details of the tax proposals that have been before this House in the last 10 days. I commend him for his leadership on these issues.

I know the gentlewoman from North Carolina (Mrs. CLAYTON) joins me as we all try to move forward together and try to accomplish things that will bring us a better future for all of our children and our grandchildren.

Mr. SHERMAN. Mr. Speaker, I have a few more examples and facts I want to quickly get into the RECORD. I promised I would wrap up just a few minutes after 4. We could, obviously, continue for another hour.

But let me first just make sure this RECORD reflects the analysis of citizens for tax justice. I mentioned it earlier that 45 percent of the benefits in the Republican package go to the top one percent of American families.

These families, on average, will save \$54,000. These families typically have incomes of over three-quarters of a million dollars a year already.

So the decision on who should benefit from this tax bill is as severely mistaken as the analysis that led to the unreasonable and fiscally irresponsible size of the tax bill.

□ 1600

Finally, for those who listened to the debates just before the tax bill was adopted, from time to time a Member of the majority would stand up and say, after a Democrat had spoken, do you realize the family in your State on average will save \$3,000 or \$3,500 under the tax bill?

It sounded like a big number. Let me make sure that that is corrected. Yes, indeed, the, quote, average person in

my State would save \$3,500. That is over a 10-year period. So that is \$350 a year. But that is the average person. Not the median but the mean.

Let me just explain the difference. If you have got Al Checchi, the gentleman, you may remember, who owns about half of Northwest Airlines, spent a lot of money in my State running for governor. If Al saves \$10 million on his taxes and then we have got 1,000 families in another part of my district saving \$10 on their taxes, well, that all averages up to a much higher number. The average simply looks at the huge amount of the tax break and divides it by the number of families. But the mean is when you look at the typical average family, what do they get. And typically under this tax bill, they get about 30 cents a day.

For God's sake, let us not risk America's current and tenuous prosperity, let us not risk this economic expansion on the joy that a few will get in giving tax breaks to a very few Americans, and certainly let us not risk this economic recovery and economic expansion on 30 cents a day of tax cuts for the average American family.

MEDICARE

The SPEAKER pro tempore (Mrs. BIGGERT). Under the Speaker's announced policy of January 6, 1999, the gentlewoman from Connecticut (Mrs. JOHNSON) is recognized for 60 minutes as the designee of the majority leader.

Mrs. JOHNSON of Connecticut. Madam Speaker, I rise today to address the increasingly acute, immediate problems in our Medicare program, one of the pillars of retirement security for America's seniors. It is significant that I rise at a time when Republicans, Democrats, the Congress and the President recognize that Medicare must include a new prescription drug benefit. While I strongly agree that we need to add prescription drugs to the Medicare system, we must provide coverage prudently and fairly and not by endangering funding for other Medicare services. Medicare simply cannot tolerate the scheduled deep cuts ahead, much less the billions of dollars in cuts proposed by the President in his budget and in the outline of his prescription drug proposal. I fervently believe that we must address the current problems immediately or hundreds of providers nationwide will close their doors, creating a crisis in access to care for our seniors of unprecedented proportions.

My purpose in this speech today is not to address long-term reform of Medicare nor the crying need to provide access to prescription drugs through Medicare, as important as those issues are to strengthening this crucial seniors' security program.

My purpose is more mundane and more urgent. It is critical to assuring seniors' access to quality care now and to assuring the survival of critical community health care institutions like our local hospitals, home health agencies and nursing homes.

In 1997, Congress adopted many reforms to Medicare because it was galloping toward bankruptcy. Already in 1997, it was paying out more for services than it was collecting in payroll taxes and premiums. Medicare spending was exploding, especially in the areas of home health and skilled nursing facility costs. And as it reached the unsustainable level of 11 percent growth per year, the Balanced Budget Act reforms were adopted to cut this growth rate in half, from 11 percent to 5.5 percent, a modest and responsible goal.

Why, then, are home health agencies, nursing homes and hospitals begging us to hear their problems and pleading for relief? Alas, it is simple. The projected savings from the Balanced Budget Act were \$106 billion over 5 years. The real savings that will be achieved are about \$100 billion above that. While the goal was to slow the rate of growth to 5.5 percent, growth has dropped to 1.5 percent, though the number of seniors and frail elderly continues to grow.

I believe we face a crisis and must act now. While the data from the real world has not reached the shores of Washington, in the real world in my estimation the crisis is immediate and beginning to endanger the quality of care available under Medicare. Seniors' access is at stake and the very institutions we depend on for care are at risk.

There are five causes for the very serious problems we face in Medicare:

First, though a relatively minor factor, important mistakes were made in writing the Balanced Budget Act reforms.

Second, bureaucratic problems have developed and are delaying payments to providers for many, many months.

Third, the reform bill included expanded funding and authority to eliminate fraud and abuse. As a result, the Inspector General has not only identified and eliminated a lot of fraud and abuse but has changed many rules, delaying payments unmercifully and unfairly in my mind. Further, the fear of the Inspector General is causing some providers to cancel negotiated discounts and pushing costs up as reimbursements are going down, all because the Inspector General is ignoring old rules and refusing to clarify new ones.

Fourth, the fact that rates are based on data that is 4 years old is exacerbating our problems dramatically.

And, fifth and possibly the most significant cause of the looming crisis is the unintended and unanticipated consequences of the interaction of the many changes in payment levels and payment systems made by both public and private payers over a short period of time.

In fairness, we have placed enormous burdens on the good people of the Health Care Financing Administration which administers Medicare and their claims processors and on the providers with the level of changes that we have enacted. It would be sheer hubris to believe that so many changes could be

implemented without unintended consequences, especially as they are interacting with private sector changes of a pace and a breadth unprecedented. Not surprisingly, there are slowdowns in the payments, real mistakes to be corrected and unanticipated problems to be solved. There is no shame in the problems. The shame would be if we did not address them this Congress.

We must simply have the political courage to examine the concerns of the providers and deal with those that are legitimate, and we must have the courage to fund the changes from the surplus we have set aside for retirement security since many of what we call surplus dollars are dollars we appropriated to spend on care for Medicare patients and that are needed by those very patients.

Some people are discouraging action and criticizing providers for whining. Not so. Go visit hospitals, nursing homes, home health agencies and physicians. Changes made and the additional cuts of \$11 billion proposed by the President in his budget will, I think, put providers in severe constraints, put many small providers out of business, and will go directly to affect access and quality of care for our seniors. We cannot expect facilities to simply absorb millions of dollars of loss without compromising their role in our communities. We cannot expect small providers that are not getting paid for many months to be able to meet payroll, provide medications and meet the standard of care we expect.

Over the August District Work Period, I encourage my colleagues to meet with providers in their district and listen to what they are going through, see what precisely they are facing and the impact the current law cuts in the HCFA administration, the administrators of Medicare, their actions are having on service availability and quality. Then make your judgment. I think you will come to the same conclusion that I have. Through many visits to hands-on caregivers, I am convinced that providers cannot survive if we do not act and the administration does not provide relief from policies that are harsh and unfair and begin spending the full appropriation provided for Medicare services.

Congress must listen up and act. The administration, HCFA, the agency that governs the Medicare program, must also listen up and act, for it will take all of us working hard and now to prevent a catastrophic loss of providers, research capability and sophisticated treatment options.

We do not need to fundamentally undo the reforms adopted in 1997. In fact, we cannot undo those reforms because we must succeed in slowing the rate of growth in Medicare. But we must act now to respond to the doubly deep cuts that resulted unintentionally from the law to preserve access to needed health care services and ensure community providers will survive.

I will now look at each sector, nursing homes, hospitals and home health

agencies, to suggest administrative fixes in the way the balanced budget is being implemented and legislative changes to the policies enacted, in other words, actions that the executive branch can take immediately and laws, legal changes, that the Congress must adopt.

In the area of payments to skilled nursing facilities, we expected to save \$9.5 billion through the Balanced Budget Act, but the savings are now estimated at \$16.6 billion, more than half again as much.

There are two administrative policies that together have delayed payments to nursing homes so severely that literally payrolls will not be met if relief does not come soon, spelling closure for good facilities providing compassionate care.

First, HCFA needs to repeal sequential billing for nursing homes. The balanced budget reforms required nursing homes to coordinate and pay for all ancillary services given to Medicare patients in nursing homes, but the law does not require sequential billing. If one ancillary service provider is late in submitting their bill, the nursing home is late in submitting its bill to Medicare. This creates a domino effect of payment delays when we require all of May's bills to be settled before June's bills can be looked at. HCFA, the Medicare administrator, has announced that they are ending sequential billing for home health agencies and they should repeal this destructive and unfair policy for nursing homes. Payments for room, board and regular services need to flow predictably as they have in the past while the problems with the ancillary services billing system are ironed out. This will prevent the serious cash flow problems that threaten small providers, particularly small providers in our rural areas and small cities.

Secondly, the administration must speed up Medicare payment denials. In my region, nursing homes are having difficulty getting payment denials from Medicare. The real world problem for providers is that they cannot bill other payers, such as Medicare or the private sector, until they get a payment denial from Medicare. Yet they are providing care month after month, often borrowing money, accruing interest charges and endangering their solvency and licensure. We also need to ensure that these denials are written in clear language. Even when providers do get letters of denial, the language is so convoluted and legalistic that it is difficult to determine whether a payment has been denied or not.

In addition to these two administrative actions, which I urge the Health Care Financing Administration to take promptly to relieve the terrible strain on nursing homes that threatens the institutional survival of some, there are legislative corrections to the Balanced Budget Act that we must make if quality care is to be maintained.

□ 1615

First, we must fairly address the issue of medically complex patients. There is clear evidence that the payments under the nursing home prospective payment system are not sufficient to pay for the medical needs of the acutely ill patient.

The General Accounting Office testified before the Senate Finance Committee that, and I quote, certain other modifications to the prospective payment system must be, may be appropriate because there is evidence that payments are not being appropriately targeted to patients who require costly care. The potential access problems that may result from underpaying for high-cost cases will likely result in beneficiaries staying in acute care hospitals longer rather than foregoing care, end quote.

Indeed, I have already heard about this problem from the hospitals in my district, yet we cannot expect hospitals to continue to treat patients without compensation simply because there is not a nursing home that can afford to care for them, nor can we expect nursing homes to accept patients for whose care they will not be paid sufficiently.

The Health Care Financing Administration has also testified about its concern that the prospective payment system, and I quote, does not fully reflect the costs of non-therapy ancillaries such as drugs for high acuity patients, unquote. HCFA announced that they were conducting research that will serve as the basis for refinements to the resource utilization groups that we expect to implement next year.

It is good that HCFA has recognized that we do not have the data to account for the cost of medications for acutely ill patients, but gathering the data for next year is not an acceptable solution. We cannot ignore patients and care providers who are facing serious problems now. We must take immediate action to direct increased payments to the sicker patients or to allow nursing homes to bill directly for drugs until we have better data to refine the payment system.

Secondly, we must exclude ambulance, the cost of ambulance rides and prosthetic devices from the current payment system. When Congress passed the prospective payment system, we did not expect to require that nursing homes cover the cost of ambulance transport.

Fortunately, the Health Care Financing Administration has exempted several types of ambulance transportation from the payments, but they are still requiring that nursing homes pay for the cost of ambulance transport when it is necessary as part of a patient's treatment plan. This requirement is terribly burdensome for rural nursing homes that face significant charges for long ambulance trips. A rural nursing home in my district gets \$200 a day in Medicare payments. An ambulance ride to the nearest hospital costs \$800. How could such a home accept a dialysis patient who needs regular transportation

to a dialysis facility for treatment? We do not require the nursing home to pay for the cost of dialysis treatment, but we are requiring to pay for the transportation associated with that treatment.

The same is true for radiation treatments. We should exclude these types of transport charges from the prospective payment system and fold them into the negotiated rulemaking process that is currently under way to set an ambulance fee schedule.

It is also difficult for a nursing home to serve an amputee because of the high cost of prosthetic devices. The cost of these devices can often run from 2 to \$7,000. It is impossible for a facility to accommodate this cost in their 2 to \$400 a day reimbursement and still provide all the services necessary for a patient to recover from an amputation. The patient cannot get the device while they are in the hospital because their wound must recover, and they cannot wait until they have been discharged from the nursing home because they must begin to use it for therapy. So the nursing home must find a way to pay for it, and that is impossible without losing thousands of dollars on a case. That is unfair to both patient and nursing home.

In sum, if the Health Care Financing Administration moves swiftly to address administrative problems that it has the power to address and Congress acts on legislative issues, we can both meet the savings goal of the Balanced Budget Act for nursing homes and not lose the small homes that are truly at risk of closure though they provide wonderful care for our seniors.

And now to turn to hospital payment problems which are too numerous to detail here. Instead, I will mention only some of the most troublesome.

First, the balanced budget amendment projected savings of 48.9 billion from hospital reimbursements.

Currently the Congressional Budget Office projects savings of 52.6 billion. So the savings are being made in spite of major payment cuts in the law that have not yet gone into effect and now, I believe, are inappropriate. In fact, without relief, current law will dramatically escalate cuts in hospital reimbursements and severely damage our community hospitals as well as the medical centers on which we rely for sophisticated expertise, research into new treatments, training of new physicians and a great deal of uncompensated care for uninsured and low-income patients.

First, we must repeal the transfer policy. Hospitals are currently paid based on the average cost for caring for a patient with a specific disease. Naturally the facility will have some patients whose treatment requires them to stay longer than the average and some that will be able to be discharged earlier than the average. The difference in the cost to the hospital of the longer- and shorter-stay patients works well over all. The incentive is to

reduce the length of stay by getting patients to the most appropriate care setting, and this payment structure has indeed reduced the length of hospital stays dramatically.

Starting in the Balanced Budget Amendment, however, through enactment of the transfer policy, we began to send hospitals a completely different message about how they treat patients by reducing payment for patients referred to nursing homes, long-term care hospitals or home health agencies. We know that the bulk of the cost of hospital care is eaten up in the first few days of admission in which a procedure is done and tests are performed. Yet the transfer policy revokes the full prospective payment for the hospital and instead pays them at a lower per diem rate if a patient is transferred to another facility to recover or even to home care.

This policy must be repealed because it works against the positive incentives of the prospective payment system which has successfully over time reduced the length of hospital stays by providing less costly alternatives for recovery. Ironically, if a patient tells the hospital discharge planner that they have a relative who can care for them at home but that care-giver becomes overwhelmed or their circumstances change and they cannot provide home care, the transfer policy penalizes the hospital by reducing its payments simply because the patient now legitimately needs home care services. That is unfair to the patient and to the hospital.

In addition to repealing the transfer policy, which we must do legislatively, the Health Care Financing Administration must not go forward with a 5.7 percent cut in reimbursements for outpatient services, which was clearly not intended by Congress. The Health Care Financing Administration's interpretation of the law would effectively implement a 5.7 percent across-the-board cut in payments to outpatient departments. That would be a heavy cut.

It is clearly inconsistent with Congress' intent and threatens to undercut support for what had been a delicately balanced policy compromise. The House and Senate language in the 1997 bills was identical regarding our outpatient policy clearly precluding this payment reduction, and the conference report reiterated that no change was intended.

Further, the 1997 bill included a 7.2 billion outpatient payment reduction, but no additional payment reductions were discussed nor contemplated by Congress nor were analyzed or scored by the Congressional Budget Office. Congress' intent throughout a very long process was very clear that total payment to hospitals for outpatient services was to be budget neutral to a clearly identified new baseline in the law that did save money.

No additional hospital outpatient payment reduction of the type outlined in the notice of proposed rulemaking

was contemplated. The department should carry out Congress' clear intent and withdraw the proposed rule. It would be inappropriate and destructive to impose 850 million per year of additional payment cuts on hospital outpatient departments. Seventy-seven Senators have signed a letter to the Health Care Financing Agency saying just this, and I am seeking your signatures on a similar letter to get this problem addressed now.

Thirdly, the Health Care Financing Administration must recognize the true cost of cancer drugs in the outpatient prospective payment system. The Medicare Payment Advisory Commission has reported to Congress a concern that the method of developing payments under the outpatient PPS system is likely to overpay for some services, and I quote, "and underpay for others," unquote. HCFA has developed payments on aggregate failing to recognize the high costs associated with individual patients. This has a particularly dramatic impact on cancer treatments.

HCFA's current proposed rule fails to recognize the complexities of chemotherapy, individual drug costs, and most importantly, differing medical needs of cancer patients. As a result, the new system will create financial incentives that may lower the quality of care available to cancer patients and restrict their access to care. HCFA needs to follow MEDPAC'S recommendations and adjust the outpatient payment system to reflect the complexity of care within hospital outpatient departments.

Fourthly, HCFA must recognize the higher cost of treating patients in cancer institutes. There are 10 cancer centers throughout the country that are distinguished from other acute-care hospitals because they are devoted exclusively to the treatment of cancer patients. These facilities provide the most up-to-date cancer treatments available, are on the cutting edge of research, develop many of their new treatments for patients, and are now treating 50 percent of their cancer patients in the outpatient setting, reducing the cost of providing care.

We have recognized them as distinct hospitals by making them exempt from the acute-care perspective payment system, and in the Balanced Budget Act we directed HCFA to consider establishing a separate payment methodology for cancer centers. HCFA has failed to do this in their proposed regulation, and their initial analysis of the new payment system is that payments to cancer centers will fall by one-third compared to a 5 percent decline across all hospitals.

MEDPAC has recognized this problem and recommended that HCFA modify its payment rationale to better reflect the needs of cancer center outpatient departments. Such administrative remedies are extremely important to preserving access to high-quality care in outpatient and cancer centers;

but as important as they are to stemming overly severe cuts and hospital reimbursements legislative action is also required.

First, we must pass a stop-loss bill to prevent sudden and deep cuts in outpatient payments. According to MEDPAC, Medicare paid hospitals only 90 cents for each dollar of outpatient care provided prior to the 1997 Balanced Budget Act. The balanced budget has further reduced this to 82 cents for every dollar. Once the proposed outpatient PPS system is in place, hospitals will lose an additional 5.7 percent on average if the administration does not act in accordance with Congress' intention.

□ 1630

And some hospitals will be impacted even further.

More than half the Nation's major teaching hospitals would lose more than 10 percent, and nearly half of our rural hospitals would lose more than 10 percent. Catastrophic losses would be experienced in some individual hospitals.

For example, large hospitals in Iowa and New Hampshire, will immediately lose 14 to 15 percent of Medicare outpatient revenue. Other large, urban hospitals in Missouri, Massachusetts, Wisconsin, Florida, and California will lose 20 to 40 percent. Some small rural hospitals in Arkansas, Kansas, Mississippi, Washington, and Texas will lose more than 50 percent of their Medicare revenue.

We must enact legislation to limit the amount of losses that any hospital sustains. As more treatments are moving into the outpatient setting, we simply cannot expect hospitals to absorb losses of 15 percent and more. Legislation to limit losses will ensure that hospitals will still be able to treat patients, and Medicare will secure the savings it needs to remain solvent in the short term.

Secondly, we must legislatively prevent any further cuts in the disproportionate share of hospital payments. Many hospitals' emergency departments are the only option for people without health insurance, because they cannot refuse to see patients. With the increasing number of uninsured Americans, hospitals are bearing an increasing burden. Congress must reassess our cuts in disproportionate share of payments in light of the increasing number of uninsured, by freezing payments at their present levels.

Thirdly, we must increase the hospital update to reflect the costs of preparing for Y2K. MEDPAC has recommended that hospitals receive one-half to a 1 percent increase in their operating payments to account for the need to update information systems and medical devices to become Y2K compliant, year 2000 compliant. Perhaps more than any other industry, hospitals have had to spend significant amounts of money to update their systems because of the wide variety of devices and systems that they deal with.

I have talked with hospitals in my district that have had to replace entire systems and devices ahead of schedule to ensure that they will continue to operate after the clock strikes midnight at the close of this year. The replacements range from simple devices such as IV pumps to costly systems such as a monitoring system in the intensive care unit. It is important to note that the ICU monitoring system was only 8 years old and was not due to be replaced, but the Y2K computer glitch possibility made replacement necessary.

The Y2K problem is not something that hospitals could have planned in their operating and capital budgets a few years ago, but it is something they cannot afford to ignore.

The American Hospital Association survey of their membership shows that member hospitals will spend \$8.2 billion to become Y2K compliant. We should follow MEDPAC's recommendation to increase reimbursements to hospitals to reflect these additional costs.

Finally, immediate attention must be paid to the needs of our great teaching hospitals. These institutions have been particularly hard hit because they are affected by essentially all of the Balanced Budget Act changes, while most institutions are only affected by a few provisions. They deal with a large number of uninsured, have more acutely ill patients, because they serve as regional referral centers. They must train the specialists of the future and maintain cutting-edge technology. And they must use National Institutes of Health grants which require a 25 percent match from the institution to do the clinical research that we so deeply depend upon.

Madam Speaker, we must look at the way that all the payment changes adopted are affecting these hospitals and provide relief in this Congress.

Lastly, let us turn to home health agencies. In this sector, we projected that the Balanced Budget Act would save \$16 billion. We have now realized savings of \$48.8 billion, more than any other area. The Balanced Budget Act imposed significant changes on the home health industry, and we achieved the greatest savings in this area. I believe the high savings reflects the useful work of the Fraud and Abuse Unit, but through talking to my providers, I know a lot of nonpayment lurks behind that \$48.8 billion figure, and good agencies are on the brink of closure from both administrative actions by the government and the balanced Budget Act's effects.

First, having saved more than double the intended goal in home health services, we need to eliminate the threat of the 15 percent further additional reduction that will take place on October 1 in the year 2000.

While we put the 15 percent reduction in the system to ensure that there would be sufficient savings, we should remove the 15 percent, because the nec-

essary savings have been achieved, completely eliminating the 15 percent reduction. If we are to assure our sickest seniors that home health services will continue to be available, will be expensive, about \$7 billion over 5 years. But we should be able to accomplish this out of the savings that we have already generated, which are now making the surplus larger than expected.

We must also increase slightly the per-patient reimbursement limit, and the administration must stop the waste of revenues, the scandalous squandering of our resources that is taking place as a result of the high review rate in these agencies. It is a technical problem. It is administrative, but it is taking nurses away from care. It is raising administrative costs at an unprecedented rate, and HCFA must address this terrible problem of the high rate of post-payment reviews.

Lastly, we must raise the \$1,500 cap on rehabilitative therapy services for both home health care providers and nursing homes. The Balanced Budget Amendment implemented two caps on outpatient rehabilitative therapy services, a \$1,500 cap for occupational and physical therapy, and a \$1,500 cap for speech therapy. This is an arbitrary dollar limit that does not take into account the severity of a patient's illness. While this cap may be sufficient to provide services to many seniors, there are those who have multiple conditions or who have more than one illness in a career that quickly exceeds the \$15,000 allowed and must pay themselves or go to hospital outpatient departments.

The Health Care Financing Administration has identified this problem in testimony before the Senate Finance Committee, and I quote: "We continue to be concerned about these limits, and are troubled by anecdotal reports about the adverse impact of these limits. Limits on these services of \$1,500 may not be sufficient to cover necessary care for all beneficiaries."

HCFA has directed the Inspector General to study the cap to assess whether any adjustments to the cap should be made. MEDPAC has also expressed concern in this area. We need to get relief to the patients most in need, and not let them slip through the cracks.

This has been a long and sometimes technical Special Order; however, its message is simple. There are real, serious problems in today's Medicare program that are affecting care for seniors and threatening the future of some of our most beloved community hospitals, nursing homes, doctors' practices, and visiting nurses associations. We need to address these problems now, not next year, through targeted, immediate relief and through strong action.

Congress must act now. The administration must act now. At stake, I believe, is quality care for our seniors and indirectly for all of us who rely on our community hospital and community providers.

Mr. Speaker, I ask my colleagues to please join me in this crusade for action.

HCFA INTERPRETATION OF THE BALANCED BUDGET ACT AND ITS EFFECTS ON THE HEALTH CARE INDUSTRY

The SPEAKER pro tempore (Mrs. BIGGERT). Under a previous order of the House, the gentleman from Kentucky (Mr. FLETCHER) is recognized for 5 minutes.

Mr. FLETCHER. Madam Speaker, I appreciate the opportunity to speak after the gentlewoman from Connecticut (Mrs. JOHNSON), and I certainly concur with the things that she said.

I am getting ready to catch my flight back to Kentucky, actually, just in probably about an hour.

Madam Speaker, I just got a call from one of the nursing home companies back in Kentucky, and I have visited multiple of these nursing home units in Kentucky, as well as our rural hospitals and our teaching hospital at the University of Kentucky.

I think as we look at what interpretation HCFA has taken of the Balanced Budget Act of 1997, I think we have some critical problems that are facing our Nation, especially in the care of our elderly. We see that our rural hospitals are having trouble; several of them are looking at the possibility of closing their doors. We have nursing homes that are going bankrupt; even nursing homes that are run by faith-based organizations, church groups where they really have contributions in addition to what they receive from reimbursements from Medicare and Medicaid.

Yet we found that, with the very draconian interpretation of the Balanced Budget Act of 1997, we have such a reduction that even these operations that have operated very efficiently, not trying to defraud in any way, have been unable to really provide the services or to continue to provide the services that are needed for our senior citizens.

So I think it is incumbent upon us in Congress and to call upon HCFA and the President to make sure that they relook at the Balanced Budget Act of 1997 and HCFA's interpretation of that. I would also like to work with the Congress and make sure that we address this very critical problem, that we address the needs of our senior citizens.

As I talked to this one business owner who was very distraught, they have worked very hard at a family business to provide the kind of care that is needed for our senior citizens; and yet, when I see what a misinterpretation of the balanced budget has done in their capability of providing a business, they provide over 1,900 jobs in a business that has grown over several years to provide excellent health care in the long-term care business.

And I see that what the interpretation has done is caused the possibility

of driving that company into bankruptcy, affecting the care of a number of people, especially in my district, in the 6th district of Kentucky, and it has certainly affected their ability to provide the jobs and to provide the care that is needed.

Madam Speaker, I just wanted to take this opportunity to share my concerns that I certainly share with the gentlewoman from Connecticut that have been stated here previously.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GOODE (at the request of Mr. GEPHARDT) for today and August 2 on account of a death in the family.

Mr. LUTHER (at the request of Mr. GEPHARDT) for today on account of a family commitment.

Mr. ORTIZ (at the request of Mr. GEPHARDT) for today on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FILNER) to revise and extend their remarks and include extraneous material:)

Mr. PALLONE, for 5 minutes, today.

Mr. TANNER, for 5 minutes, today.

Mr. FILNER, for 5 minutes, today.

Ms. HOOLEY of Oregon, for 5 minutes, today.

Mrs. CLAYTON, for 5 minutes, today.

Mr. TURNER, for 5 minutes, today.

(The following Members (at the request of Mr. FOSSELLA) to revise and extend their remarks and include extraneous material:)

Mr. KASICH, for 5 minutes, today.

Mr. FOSSELLA, for 5 minutes, today.

ADJOURNMENT

Mr. FLETCHER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until Monday, August 2, 1999, at 12:30 p.m. for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3275. A letter from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's final rule—Tart Cherries Grown in the States of Michigan, et al.; Additional Option for Handler Diversion and Receipt of Diversion Credits [Docket No. FV99-930-1 FIR] received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3276. A letter from the Assistant Secretary, Pension and Welfare Benefits Administration, Department of Labor, transmitting the Department's final rule—Interpretive Bulletin 99-1; Payroll Deduction Programs for Individual Retirement Accounts (RIN: 1210-AA70) received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3277. A letter from the Acting Director, Professional Responsibility Advisory Office, Department of Justice, transmitting the Department's final rule—Ethical Standards for Attorneys for the Government [AG Order No. 2216-99] received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3278. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 777 Series Airplanes [Docket No. 99-NM-113-AD; Amendment 39-11230; AD 99-15-10] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3279. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; deHavilland Inc. Models DHC-2 Mk. I, DHC-2 Mk. II, and DHC-2 Mk. III Airplanes [Docket No. 99-CE-05-AD; Amendment 39-11226; AD 99-15-07] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3280. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; MD Helicopters, Inc (MDHI) Model 369D and E Helicopters [Docket No. 99-SW-40-AD; Amendment 39-11228; AD 99-13-09] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3281. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Amendment to Class E Airspace; Ottawa, KS [Airspace Docket No. 99-ACE-21] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3282. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class D and Class E Airspace; Cannon AFB, Clovis, NM [Airspace Docket No. 99-ASW-02] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3283. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29642; Amdt. No. 1940] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3284. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures; Miscellaneous Amendments [Docket No. 29641; Amdt. No. 1939] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3285. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the

Department's final rule—Amendment to Class E Airspace; Harlan, IA [Airspace Docket No. 99-ACE-22] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3286. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revision of Class E Airspace; Raton, NM [Airspace Docket No. 99-ASW-11] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3287. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulation; Inner Harbor Navigation Canal, LA [CGD08-99-011] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3288. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Harlem River, NY [CGD01-99-093] received July 22, 1999; to the Committee on Transportation and Infrastructure.

3289. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Anchorage Grounds; Hudson River, Hyde Park, NY [CGD01-97-086] (RIN: 2115-AA98) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3290. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Revocation of Class D Airspace; Dallas NAS, Dallas, TX [Airspace Docket No. 99-ASW-08] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3291. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-200 and -300 Series Airplanes Equipped with General Electric CF6-80C2 Series Engines [Docket No. 98-NM-247-AD; Amendment 39-11227; AD 99-15-08] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3292. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 206L, 206L-1, 206L-3, and 206L-4 Helicopters [Docket No. 99-SW-23-AD; Amendment 39-11207; AD 99-13-12] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3293. A letter from the Program Analyst, Office of the Chief Counsel, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; British Aerospace HP137 Mk1, Jetstream Series 200, and Jetstream Models 3101 and 3201 Airplanes [Docket No. 98-CE-115-AD; Amendment 39-11231; AD 99-15-11] (RIN: 2120-AA64) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3294. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—SAFETY ZONE: Gloucester Schooner Fest, Gloucester, MA [CGD01-99-104] (RIN: 2115-AA97) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3295. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations for Marine Events; Chesapeake Challenge, Patapsco River, Baltimore, Maryland [CGD 05-99-064] (RIN: 2115-AE46) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3296. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Special Local Regulations and Safety Zone; Northern California Annual Marine Events [CGD11-99-007] (RIN: 2115-AE46) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3297. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operations Regulations; Columbia River, OR [CGD13-99-007] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3298. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Hackensack River, NJ [CGD01-99-091] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3299. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Steamboat Slough, WA [CGD13-99-019] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3300. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Mullica River, New Jersey [CGD05-99-034] received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3301. A letter from the Chief, Office of Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Atlantic Intracoastal Waterway (AIWW), Beaufort, South Carolina [CGD07-99-038] (RIN: 2115-AE47) received July 22, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3302. A letter from the Deputy Executive Secretary to the Department, Department of Health and Human Services, transmitting the Department's final rule—Medicare Program; Adjustment in Payment Amounts for New Technology Intraocular Lenses Furnished by Ambulatory Surgical Centers [HCFA-3831-F] (RIN: 0938-AH15) received June 24, 1999, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BURTON: Committee on Government Reform. H.R. 1442. A bill to amend the Federal Property and Administrative Services Act of 1949 to continue and extend authority for transfers to State and local governments of certain property for law enforcement, public safety, and emergency response purposes; with amendments (Rept. 106-275). Referred to the Committee of the Whole House on the State of the Union.

Mr. COBLE: Committee on the Judiciary. H.R. 2112. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and to provide for Federal jurisdiction of certain multiparty, multiforum civil actions; with an amendment (Rept. 106-276). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURTON: Committee on Government Reform. H.R. 1219. A bill to amend the Office of Federal Procurement Policy Act and the Miller Act, relating to payment protections for persons providing labor and materials for Federal construction projects; with amendments (Rept. 106-277 Pt. 1). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. COBLE:

H.R. 2654. A bill to amend title 35, United States Code, to provide enhanced protection for inventors and innovators, protect patent terms, reduce patent litigation, and for other purposes; to the Committee on the Judiciary.

By Mr. PAUL (for himself and Mr. METCALF):

H.R. 2655. A bill to restore the separation of powers between the Congress and the President; to the Committee on International Relations, and in addition to the Committees on the Judiciary, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONYERS (for himself, Mr. CUMMINGS, Ms. JACKSON-LEE of Texas, Mr. MEEKS of New York, Mr. SCOTT, and Ms. WATERS):

H.R. 2656. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to withhold funds in certain cases, and for other purposes; to the Committee on the Judiciary.

By Mr. CROWLEY (for himself, Mr. FROST, Mr. TOWNS, Mr. MEEKS of New York, Mr. HILLIARD, Ms. LEE, and Mr. ACKERMAN):

H.R. 2657. A bill to amend section 204 of the National Housing Act to make HUD-owned single family properties available at a discount to individuals who teach in inner city schools; to the Committee on Banking and Financial Services.

By Mr. CROWLEY (for himself, Mrs. MALONEY of New York, Mr. McNULTY, Ms. MCKINNEY, Mr. MCGOVERN, and Ms. LEE):

H.R. 2658. A bill to provide that the Commissioner of Food and Drugs shall by regulation require over the counter drug sunscreen products to include an expiration date and storage recommendations on their label; to the Committee on Commerce.

By Mr. CROWLEY (for himself, Mr. FROST, Mrs. MALONEY of New York, Mr. ACKERMAN, and Mr. PAYNE):

H.R. 2659. A bill to provide grants to eligible urban local educational agencies to enable the agencies to recruit and retain qualified teachers; to the Committee on Education and the Workforce.

By Mr. FILNER (for himself, Mr. GUTIERREZ, Mr. EVANS, and Mr. DOYLE):

H.R. 2660. A bill to amend title 38 of the United States Code to provide pay parity for dentists with physicians employed by the Veterans Health Administration; to the Committee on Veterans' Affairs.

By Mr. KILDEE (for himself, Mr. KENNEDY of Rhode Island, Mr. GEORGE MILLER of California, Mr. UDALL of New Mexico, Mr. HAYWORTH, Mr. POMEROY, and Mr. KOLBE):

H.R. 2661. A bill to amend title 36 of the United States Code to establish the American Indian Education Foundation, and for other purposes; to the Committee on the Judiciary.

By Ms. LOFGREN (for herself, Mrs. THURMAN, Mr. RUSH, Mr. EVANS, Mrs. MORELLA, Mr. KOLBE, Mr. FROST, Mr. PRICE of North Carolina, Mr. PASTOR, Ms. JACKSON-LEE of Texas, Mr. DREIER, Mr. BOEHNER, Mrs. CHRISTENSEN, and Mr. SNYDER):

H.R. 2662. A bill to provide for work authorization for nonimmigrant spouses of intracompany transferees, if the United States has an agreement with the country of which the transferee is a national under which United States nationals will be afforded reciprocal treatment; to the Committee on the Judiciary.

By Mr. MURTHA:

H.R. 2663. A bill to require the Secretary of the Treasury to mint coins in commemoration of the fiftieth anniversary of the Korean War to honor the United States Marine Corps participation; to the Committee on Banking and Financial Services.

By Mr. NETHERCUTT:

H.R. 2664. A bill to provide for equitable compensation of the Spokane Tribe of Indians of the Spokane Reservation in settlement of its claims concerning its contribution to the production of hydropower by the Grand Coulee Dam, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 2665. A bill to provide for a study of Radium 224 in drinking water and to amend the Safe Drinking Water Act to require that a national primary drinking water standard be established for Radium 224, and for other purposes; to the Committee on Commerce.

By Mr. SHOWS (for himself and Mr. LAMPSON):

H.R. 2666. A bill to authorize activities under the Federal railroad safety laws for fiscal years 1999 through 2002, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DREIER:

H. Con. Res. 168. Concurrent resolution waiving the requirement in section 132 of the Legislative Reorganization Act of 1946 that the Congress adjourn sine die not later than July 31, 1999; considered and agreed to.

By Mr. BEREUTER (for himself, Mr. LANTOS, Mr. COX, Mr. EWING, Mr. GREEN of Wisconsin, and Mr. TOOMEY):

H. Res. 268. A resolution calling for equitable sharing of the costs associated with the reconstruction, peacekeeping, and United Nations programs in Kosovo; to the Committee on International Relations.

By Mr. DEMINT (for himself, Mr. CLYBURN, Mr. GRAHAM, Mr. SANFORD, Mr. SPENCE, and Mr. SPRATT):

H. Res. 269. A resolution expressing the sense of the House of Representatives that Joseph Jefferson "Shoeless Joe" Jackson

should be appropriately honored for his outstanding baseball accomplishments; to the Committee on Government Reform.

By Mr. STUPAK (for himself, Mr. RAMSTAD, Mr. ABERCROMBIE, Mr. BLUMENAUER, Mr. COSTELLO, Mr. ETHERIDGE, Mr. FROST, Mr. HINCHEY, Mr. HOLDEN, Mr. HOYER, Ms. JACKSON-LEE of Texas, Mr. KING, Mr. KLINK, Mr. MALONEY of Connecticut, Mr. McNULTY, Mr. NETHERCUTT, Ms. NORTON, Mr. OXLEY, Mr. SHOWS, Mr. DEUTSCH, Mr. REYES, Mrs. THURMAN, Mr. TRAFICANT, Mr. VENTO, Mr. WEINER, Mr. WU, Mr. BALDACC, Mr. BRADY of Pennsylvania, Mr. BROWN of Ohio, Mr. BARRETT of Wisconsin, Mr. UPTON, Mr. KNOLLENBERG, and Mr. TIAHRT):

H. Res. 270. A resolution expressing the sense of the House of Representatives that the President should focus appropriate attention on the issue of neighborhood crime prevention, community policing and reduction of school crime by delivering speeches, convening meetings, and directing his Administration to make reducing crime an important priority; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

172. The SPEAKER presented a memorial of the Senate of the State of Oregon, relative to Senate Joint Memorial No. 9 memorializing Congress to disregard calls for a constitutional convention on balancing the federal budget because there exists no guarantee that a federal constitutional convention, once convened, could be limited to the subject of a balanced federal budget, and therefore such a convention may intrude into other constitutional revisions; to the Committee on the Judiciary.

173. Also, a memorial of the House of Representatives of the State of Oklahoma, relative to House Concurrent Resolution No. 1022 memorializing Congress and the Department of Justice to closely monitor any large corporation that controls the production, processing and marketing of agriculture's food and fiber; jointly to the Committees on Agriculture and the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 40: Ms. MCKINNEY.
H.R. 71: Mr. GOODE, Mr. BARCIA, and Mr. NEY.
H.R. 225: Mr. FORBES and Mr. MASCARA.
H.R. 226: Mrs. THURMAN and Ms. MCKINNEY.
H.R. 230: Mr. DIXON.
H.R. 306: Mr. UDALL of Colorado.
H.R. 346: Mr. FLETCHER.
H.R. 357: Mr. FORBES.
H.R. 382: Ms. ROS-LEHTINEN and Ms. WALTERS.
H.R. 405: Mr. GEJDENSON and Mr. DELAHUNT.
H.R. 415: Mr. CONDIT, Mr. HOLDEN, and Mr. PHELPS.
H.R. 425: Mr. SANDERS.
H.R. 534: Mr. MASCARA and Mr. BOSWELL.
H.R. 580: Ms. KAPTUR.
H.R. 601: Mr. COOK.
H.R. 637: Mr. MINGE, Mr. HINCHEY, and Mr. CAMP.
H.R. 699: Mr. GEORGE MILLER of California.
H.R. 728: Mr. BOUCHER and Ms. DANNER.
H.R. 802: Mr. GONZALEZ.

H.R. 809: Mr. ENGLISH.
H.R. 864: Ms. PRYCE of Ohio, Mr. LAFALCE, and Mrs. FOWLER.
H.R. 865: Mr. CRAMER.
H.R. 879: Mr. ABERCROMBIE, Mr. ETHERIDGE, Ms. LEE, Mr. UNDERWOOD, and Mr. BARRETT of Wisconsin.
H.R. 957: Mr. TIAHRT.
H.R. 980: Mr. MILLER of Florida and Ms. SANCHEZ.
H.R. 997: Mr. ENGLISH.
H.R. 1001: Mr. LEVIN, Mr. BOYD, Mr. KINGSTON, and Mr. ALLEN.
H.R. 1041: Mr. RAMSTAD and Mr. FLETCHER.
H.R. 1064: Mr. CAPUANO.
H.R. 1091: Mr. GOODE and Mr. CALLAHAN.
H.R. 1095: Mr. DICKS, Mr. MOORE, and Mr. MENENDEZ.
H.R. 1122: Mr. UDALL of Colorado and Mr. HINCHEY.
H.R. 1145: Mr. DAVIS of Illinois.
H.R. 1193: Mr. MCDERMOTT and Mr. SMITH of Washington.
H.R. 1237: Ms. HOOLEY of Oregon.
H.R. 1238: Mr. BLAGOJEVICH.
H.R. 1252: Mr. MILLER of Florida.
H.R. 1265: Mr. BOEHLERT.
H.R. 1304: Ms. DANNER, Mr. MCINTYRE, Mrs. CLAYTON, Ms. MCKINNEY, and Mr. ISTOOK.
H.R. 1310: Mr. TRAFICANT, Mr. BILBRAY, Mr. HYDE, Mr. GORDON, and Mr. RADANOVICH.
H.R. 1311: Mr. DEMINT, Mr. TRAFICANT, Mr. SPRATT, Mr. GREENWOOD, Mr. WHITFIELD, Mr. PHELPS, Mr. BOEHLERT, Mr. MOAKLEY, Mr. KANJORSKI, Mr. MCGOVERN, Mr. SHAYS, and Mr. BLUNT.
H.R. 1325: Mr. MARKEY.
H.R. 1328: Mr. PETERSON of Minnesota and Mr. COYNE.
H.R. 1344: Mr. SMITH of Texas and Mr. PETERSON of Minnesota.
H.R. 1358: Mr. SMITH of Washington.
H.R. 1389: Mr. HOLT.
H.R. 1432: Mr. GORDON.
H.R. 1442: Mr. WAMP.
H.R. 1443: Mr. LAMPSON.
H.R. 1505: Mrs. EMERSON and Mr. SANDLIN.
H.R. 1511: Mr. HANSEN and Mr. SNYDER.
H.R. 1515: Mr. OLVER, Mrs. LOWEY, Mr. CAPUANO, Mr. VENTO, Mr. TIERNEY, and Mr. WAXMAN.
H.R. 1531: Mr. MASCARA.
H.R. 1592: Mr. HILLEARY, Mr. OWENS, Mr. RILEY, Mr. MOORE, and Mr. SWEENEY.
H.R. 1598: Mr. THORNBERRY, Mr. BARR of Georgia, and Mr. WELDON of Pennsylvania.
H.R. 1657: Mr. HORN.
H.R. 1671: Mr. CALVERT.
H.R. 1728: Mr. SHOWS, Mr. KIND, and Mr. LATOURETTE.
H.R. 1747: Mrs. MYRICK, Mr. PORTER, and Mr. SCHAFFER.
H.R. 1787: Mr. DEFAZIO.
H.R. 1795: Mr. CLEMENT, Mr. PASTOR, Mr. MCDERMOTT, Mr. KLECZKA, Mr. JEFFERSON, Mr. DAVIS of Illinois, Mr. LIPINSKI, and Mr. GILCHREST.
H.R. 1837: Mr. MCINTYRE, Mr. BAIRD, Mr. MASCARA, Mr. DICKEY, and Mr. STENHOLM.
H.R. 1863: Mr. HASTINGS of Washington.
H.R. 1899: Mr. LOBINGDO, Mr. BALDACC, and Mr. CAMPBELL.
H.R. 1907: Mr. SHADEGG and Mr. WOLF.
H.R. 1914: Mrs. THURMAN.
H.R. 1932: Mr. WISE and Mr. RANGEL.
H.R. 1933: Ms. RIVERS and Mr. BARRETT of Nebraska.
H.R. 1967: Mr. KLINK, Mr. HUNTER and Mr. COSTELLO.
H.R. 1990: Mr. KLINK, Mr. DICKEY, Mr. CASTLE, and Mr. WELDON of Pennsylvania.
H.R. 2033: Mrs. MYRICK.
H.R. 2120: Ms. MCKINNEY and Mr. CLYBURN.
H.R. 2128: Mr. CALVERT, Mr. SMITH of Michigan, and Mr. SHAYS.
H.R. 2159: Mr. ENGLISH.
H.R. 2171: Mr. MILLER of Florida.
H.R. 2187: Mr. BENTSEN.

H.R. 2265: Mr. SAWYER and Mr. ROMERO-BARCELÓ.

H.R. 2294: Ms. LEE.

H.R. 2303: Mr. McKEON, Mr. MARTINEZ, Ms. PRYCE of Ohio, Mr. BROWN of Ohio, Mr. PETERSON of Pennsylvania, Ms. MCCARTHY of Missouri, Mr. WEYGAND, Mr. HANSEN, Mr. STRICKLAND, Mr. SHERWOOD, and Mrs. MCCARTHY of New York.

H.R. 2308: Mrs. PRYCE of Ohio.

H.R. 2319: Mrs. MYRICK and Mr. CRAMER.

H.R. 2341: Mr. PALLONE, Mr. DICKS, Mr. PASTOR, Mr. MALONEY of Connecticut, Mr. MENENDEZ, Mr. STENHOLM, and Mrs. MINK of Hawaii.

H.R. 2386: Ms. LEE and Mr. OWENS.

H.R. 2436: Mr. BARR of Georgia.

H.R. 2457: Mr. HOEFFEL.

H.R. 2493: Mrs. MYRICK, Mr. RUSH, and Ms. MILLENDER-MCDONALD.

H.R. 2499: Mrs. ROUKEMA.

H.R. 2505: Mr. MARKEY and Mr. OBERSTAR.

H.R. 2511: Mr. HAYES, Mr. BILIRAKIS, Mr. OXLEY, Mr. COBURN, Mr. HAYWORTH, Mr. BURTON of Indiana, Mr. EWING, and Mr. LIPINSKI.

H.R. 2515: Mr. REYES.

H.R. 2550: Mr. HILL of Montana, Mr. BARCIA, Mr. LUCAS of Oklahoma, Mr. METCALF, Mr. SIMPSON, Mr. BONILLA, and Mr. HILLEARY.

H.R. 2553: Ms. MCKINNEY, Mr. EVANS, and Mrs. EMERSON.

H.R. 2584: Mr. FOLEY and Mr. GREEN of Texas.

H.R. 2612: Mr. COSTELLO.

H.R. 2614: Mr. LOBIONDO, Mr. BAIRD, and Mr. UDALL of New Mexico.

H.R. 2615: Mr. LOBIONDO, Mr. BAIRD, and Mr. UDALL of New Mexico.

H. Con. Res. 80: Mr. SMITH of New Jersey, Mrs. MEEK of Florida, Mr. SANFORD, Mr. DIXON, Mr. LEWIS of California, Ms. STABENOW, Ms. BERKLEY, Ms. PRYCE of Ohio, Mr. ALLEN, Mr. KNOLLENBERG, Mrs. THURMAN, Mr. COSTELLO, Mr. McKEON, Mr. BACHUS, Mr. HOLDEN, and Ms. RIVERS.

H. Con. Res. 111: Mr. TIERNEY, Mr. MEEHAN, and Ms. NORTON.

H. Con. Res. 118: Mr. UNDERWOOD.

H. Con. Res. 129: Mr. KOLBE, Mr. CROWLEY, Mr. RANGEL, Mr. CONDIT, Ms. ROS-LEHTINEN, Mr. PETRI, and Mr. MARTINEZ.

H. Con. Res. 136: Mr. SKELTON, Mr. PETERSON of Minnesota, Mr. PASTOR, Mr. REYES, Mrs. BIGGERT, and Mr. EDWARDS.

H. Con. Res. 162: Mr. ABERCROMBIE, Mr. DIXON, Mr. MEEHAN, Mrs. NAPOLITANO, Mr. PORTER, and Mr. TIERNEY.

H. Res. 82: Mrs. LOWEY and Mr. OWENS.

H. Res. 107: Mr. WEINER.

DISCHARGE PETITIONS

Under clause 2 of rule XV the following discharge petitions were filed:

Petition 4, July 15, 1999, by Ms. DEGETTE on House Resolution 192 has been signed by the following Members: Rod R. Blagojevich, Elijah E. Cummings, Eliot L. Engel, Gregory W. Meeks, Gary L. Ackerman, Calvin M. Dooley, and John Lewis.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 2606

OFFERED BY: MR. KUCINICH

AMENDMENT No. 22:

SEC. _____. None of the funds made available in this Act may be used by the Overseas Private Investment Corporation to provide any administrative support, credit program support, loan, loan guaranty, insurance, or other assistance for any environmentally sensitive Investment Fund project.

H.R. 2606

OFFERED BY: MR. PAUL

AMENDMENT No. 23: Page 116, after line 5, insert the following:

LIMITATION ON FUNDS FOR EXPORT-IMPORT BANK OF THE UNITED STATES, OVERSEAS PRIVATE INVESTMENT CORPORATION, AND THE TRADE AND DEVELOPMENT AGENCY

SEC. _____. None of the funds made available pursuant to this Act for the Export-Import Bank of the United States, the Overseas Private Investment Corporation, or the Trade and Development Agency, may be used to enter into any new obligation, guarantee, or agreement on or after the date of the enactment of this Act.